

S. WISPELWEY

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division

ELIZABETH SINES, SETH
WISPELWEY, MARISSA BLAIR,
TYLER MAGILL, APRIL MUNIZ,
HANNAH PEARCE, MARCUS
MARTIN, NATALIE ROMERO,
CHELSEA ALVARADO, and
JOHN DOE,

Plaintiffs,

vs.

JASON KESSLER, RICHARD
SPENCER, CHRISTOPHER CANTWELL,
JAMES ALEX FIELDS, JR.,
VANGUARD AMERICA, ANDREW
ANGLIN, MOONBASE HOLDINGS,
LLC, ROBERT "AZZMADOR" RAY,
NATHAN DAMIGO, ELLIOT KLINE
a/k/a ELI MOSLEY, IDENTITY
EVROPA, MATTHEW HEIMBACH,
MATTHEW PARROTT,
TRADITIONALIST WORKER PARTY,
MICHAEL HILL, MICHAEL TUBBS,
LEAGUE OF THE SOUTH, JEFF
SCHOEP, NATIONAL SOCIALIST
MOVEMENT, NATIONALIST FRONT,
AUGUSTUS SOL INVICTUS,
FRATERNAL ORDER OF THE
ALT-KNIGHTS, MICHAEL "ENOC"
PEINOVICH, LOYAL WHITE KNIGHTS
OF THE KU KLUX KLAN, and EAST
COAST KNIGHTS OF THE KU KLUX
KLAN, a/k/a EAST COAST KNIGHTS
OF THE TRUE INVISIBLE EMPIRE,

Defendants.

CIVIL ACTION NO.
3:17-cv-00072-NKM

JOB NO: 181849

TELEPHONIC ZOOM DEPOSITION OF
SETH WISPELWEY
Friday, July 24, 2020

1	S. WISELWEY	Page 2	1	S. WISELWEY	Page 3
2			2	APPEARANCES:	
3	Job No. 180216		3	For the Plaintiffs:	
4	Friday, July 24, 2020		4	JESSICA PHILLIPS, ESQ.	
5	9:33 a.m.(MST)		5	Boies Schiller Flexner	
6			6	1401 New York Avenue Northwest	
7			7	Washington, DC 20005	
8			8	For the Defendants:	
9			9	JAMES KOLENICH, ESQ.	
10	TELEPHONIC ZOOM DEPOSITION OF SETH		10	Kolenich Law Office	
11	WISELWEY, produced as a witness at the instance of		11	9435 Waterstone Boulevard	
12	the Plaintiffs, and duly sworn remotely, by		12	Cincinnati, OH 45249	
13	agreement, was taken in the above-styled and		13	DAVID CAMPBELL, ESQ.	
14	numbered cause before Dawn K. Larson, RDR, CRR, CRC,		14	Duane Hauck Davis Gravatt & Campbell	
15	reported by machine shorthand remotely pursuant to		15	100 West Franklin Street	
16	the Rules of Civil Procedure and any provisions		16	Richmond, VA 23220	
17	stated on the record or attached hereto.		17		
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1	S. WISELWEY	Page 4	1	S. WISELWEY	Page 5
2	I N D E X		2	P R O C E E D I N G S	
3	SETH WISELWEY		3	SETH WISELWEY,	
4	EXAMINATION	PAGE	4	having been first duly sworn remotely to state the	
5	By Mr. Campbell:	5, 214	5	whole truth, testified as follows:	
6	By Mr. Kolenich:	99	6	EXAMINATION	
7	EXHIBITS		7	BY MR. CAMPBELL:	
8	Exhibit 1 Goad Gatsby Tweet	104	8	Q. Good morning, Mr. Wispelwey. My name is	
9	Exhibit 2 Twitter response to Goad	104	9	Dave Campbell, and I represent Defendant James	
10	Exhibit 3 Twitter account,	107	10	Fields pursuant to his car insurance. And I had	
11	re: milkshake		11	some questions for you today but wanted to ask you a	
12	Exhibit 4 8/12/17 Picture from Unite to	113	12	first: Have you ever given a deposition before?	
13	Right Rally, Charlottesville,		13	A. I have not, no.	
14	Virginia		14	Q. Okay. Just some general suggestions or	
15	Exhibit 5 Video of Wispelwey speaking	117	15	statements that help, basically, to help the court	
16	Exhibit 6 Tweet from Wispelwey account	133	16	reporter take our conversation down today.	
17	Exhibit 7 8/13/2017 Boone Rising	148	17	Even though I'm sure you'll know where I'm	
18	Facebook Post		18	going with some of my questions, please try to let	
19	Exhibit 8 8/16/17 Slate article by	154	19	me finish the question before you begin to answer	
20	Lithwick, Slate.com		20	and then I'll try to make sure you're completely	
21	Exhibit 9 Photograph of possible	160	21	done answering before I pose another question.	
22	protestors		22	If we're both speaking at the same time,	
23	Exhibit 10 12/8/18 Wispelwey tweet	162	23	it's very difficult for the court reporter to take	
24	Exhibit 11 2017.08 Defend	193	24	our conversation down.	
25	Charlottesville Document,		25	Okay, sir?	
	Re: Heather Wilson				
	Exhibit 12 Picture of Soviet flag	197			

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2 A. Sounds good.

3 Q. And can you hear me okay?

4 A. I can hear you great. Thanks.

5 Q. Okay.

6 And if -- you can't see me; I can't see

7 you either. I'm only participating by phone. So

8 don't think I'm watching you or anything and I'm

9 posing these questions. I'm just on the phone.

10 MR. CAMPBELL: Before we get started, I

11 wanted to just ask counsel to confirm, as we've done

12 with the other depositions, to confirm that you

13 stipulate this deposition is valid under Rule 30 of

14 the Federal Rules even though the court reporter is

15 not physically present with the deponent swearing

16 him in.

17 Does everyone agree that this is a valid

18 Rule 30 deposition?

19 MS. PHILLIPS: Yes.

20 Dave, this is Jessica Phillips with Boies,

21 Schiller & Flexner, LLP, on behalf of plaintiffs,

22 and we do stipulate.

23 MR. KOLENICH: Jim Kolenich. I stipulate.

24 MR. CAMPBELL: Thank you both.

25

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2 or other drug that would affect your ability to

3 understand or answer my questions here today?

4 A. No.

5 Q. And you understand the oath that you gave

6 at the beginning of this deposition is the same as

7 if you were in front of a judge in court?

8 A. Yes.

9 Q. Okay. All right.

10 Would you please state your name and

11 then -- you don't have to give your physical address

12 but the city and state where you reside.

13 A. My name is Seth Wispelwey. I reside in

14 Tucson, Arizona.

15 Q. Okay. And obviously we're primarily here

16 to ask you questions relating to the Unite the Right

17 rally in Charlottesville, Virginia, and the events

18 surrounding.

19 At the time of the rally, did you reside

20 in Charlottesville, Virginia?

21 A. Yes.

22 Q. Okay. How long ago did you move from

23 Charlottesville, Virginia?

24 A. I moved from Charlottesville, Virginia, in

25 July 2019.

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2 BY MR. CAMPBELL:

3 Q. All right. Reverend Wispelwey, as I

4 indicated, the court reporter is taking down the

5 conversation, so we need verbal answers. Shaking

6 your head or nodding your head -- obviously, I won't

7 have any idea being on the phone, but, also, if you

8 respond to a yes-or-no question in a manner "uh-huh"

9 or "huh-uh," we'll probably all know what you mean

10 here today, but months from now, it can cause

11 disagreement.

12 So I may ask you to confirm, "Was that a

13 yes?" or "Was that a no?" I'm not trying to be

14 rude. I just want to make sure we're clear for the

15 record, sir.

16 Is that all right?

17 A. That sounds good.

18 Q. Okay. And if you need to take a break at

19 any time for any reason, just let me know. We're

20 happy to do so. I would just ask, if there is a

21 question pending, that you answer whatever that

22 question is.

23 A. Sounds good.

24 Q. Oops, sorry.

25 Are you currently on any pain medication

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2 Q. Did you move directly to Tucson?

3 A. Yes.

4 Q. All right, sir. Let me ask you: What did

5 you do to prepare for this deposition today?

6 A. For this deposition today, I met a handful

7 of times with my attorneys to discuss what was

8 coming.

9 Q. Okay. And I'm not asking you and can't

10 ask you anything about your discussions with your

11 attorneys, but did you review any documents in

12 preparation for this deposition?

13 A. Yes. We reviewed a few documents.

14 Q. Okay. And do you recall the names of

15 those documents or what documents you reviewed?

16 A. Yes.

17 Q. What were they? What were the names of

18 the documents?

19 A. I don't know that they had formal names.

20 We looked at various articles and emails and logs of

21 text messages.

22 Q. Were the emails emails sent and/or

23 received by you?

24 A. Yes, most of them were.

25 Q. Okay. And how about the log of text

<p>Page 10</p> <p>1 S. WISELWEY</p> <p>2 messages?</p> <p>3 Were those texts you sent or received?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Were those texts messages -- were</p> <p>6 they close in time to the rally on August 12 in</p> <p>7 Charlottesville, Virginia?</p> <p>8 MS. PHILLIPS: Objection. Form.</p> <p>9 A. Some of them --</p> <p>10 MS. PHILLIPS: Go ahead, Seth. You may</p> <p>11 answer.</p> <p>12 A. Some of them, yes.</p> <p>13 BY MR. CAMPBELL:</p> <p>14 Q. Okay. And the ones that weren't close in</p> <p>15 time to August 12 -- and, again, if any were to or</p> <p>16 from your counsel, I'm certainly not asking about</p> <p>17 those.</p> <p>18 What did -- the text messages that were</p> <p>19 not close in time to August 12, what were they</p> <p>20 discussing?</p> <p>21 MS. PHILLIPS: Object to form.</p> <p>22 You can answer.</p> <p>23 A. I don't recall all of them. There were</p> <p>24 several. There were some in 2018 related to</p> <p>25 communicating with colleagues and friends about</p>	<p>Page 11</p> <p>1 S. WISELWEY</p> <p>2 ongoing events or the one-year anniversary of Unite</p> <p>3 the Right.</p> <p>4 BY MR. CAMPBELL:</p> <p>5 Q. Understood.</p> <p>6 And, yeah, I'm certainly not asking you</p> <p>7 for, you know, a specific recount of the text chain.</p> <p>8 I was just trying to get a general idea of what</p> <p>9 other texts you were reviewing in preparation for</p> <p>10 this deposition other than texts, you know,</p> <p>11 involving the rally.</p> <p>12 All right. Anything else that you</p> <p>13 reviewed in preparation for this deposition other</p> <p>14 than the emails and text chains you were discussing?</p> <p>15 A. Not that I recall, no.</p> <p>16 Q. Okay. For example, did you look at</p> <p>17 discovery answers, interrogatory answers, that you</p> <p>18 may have completed with counsel?</p> <p>19 A. Yes. We did review at one point a couple</p> <p>20 of interrogatory answers.</p> <p>21 Q. All right. And as I understand it, you're</p> <p>22 a reverend? Is that accurate?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. So would you please recount for me,</p> <p>25 post-high school, your education and training</p>
<p>Page 12</p> <p>1 S. WISELWEY</p> <p>2 leading up to becoming a minister or reverend?</p> <p>3 A. Sure. I completed an undergraduate</p> <p>4 degree, a BA, at the University of Virginia in 2003.</p> <p>5 I did my graduate work at Princeton Theological</p> <p>6 Seminary in Princeton, New Jersey, and completed a</p> <p>7 divinity degree with a specialty in pastoral care</p> <p>8 and counseling at Boston College School of Theology</p> <p>9 and Ministry in 2011.</p> <p>10 I completed the requirements to become an</p> <p>11 ordained Minister of Word and Sacrament with the</p> <p>12 United Church of Christ in 2017, March of that year.</p> <p>13 Q. What did that involve, the becoming an</p> <p>14 ordained minister with the United Church of Christ,</p> <p>15 just generally?</p> <p>16 MS. PHILLIPS: Object to form.</p> <p>17 You can answer.</p> <p>18 A. Generally, to become an ordained minister</p> <p>19 in the United Church of Christ -- it is referred to</p> <p>20 as a mainline protestant denomination in the United</p> <p>21 States -- one has to be what is called a "member in</p> <p>22 discernment" in covenant with a local church and</p> <p>23 regional conference body for a period of around</p> <p>24 two years and involves pulling together all of the</p> <p>25 education accomplishments, writing, and additional</p>	<p>Page 13</p> <p>1 S. WISELWEY</p> <p>2 education needed in things like polity and</p> <p>3 governance as well as a paper of around 30 pages in</p> <p>4 length documenting my understanding of my faith and</p> <p>5 the denomination as well as approval --</p> <p>6 BY MR. CAMPBELL:</p> <p>7 Q. Okay.</p> <p>8 (Overlapping speakers.)</p> <p>9 A. Oh, I'm sorry.</p> <p>10 Q. No, no, no. I apologize.</p> <p>11 A. As well as approval for a call, which</p> <p>12 simply means, when first ordained, the local church</p> <p>13 regional body agree to covenant in a particular</p> <p>14 expression of how you'll be doing ministry.</p> <p>15 Q. Okay. Do you have to do any, you know,</p> <p>16 like, practice -- you know, like practice</p> <p>17 ministering or preaching -- or however you would</p> <p>18 describe it -- under the United Church of Christ?</p> <p>19 MS. PHILLIPS: Object to form.</p> <p>20 Go ahead.</p> <p>21 A. Yes. I interned as a hospital chaplain</p> <p>22 for a year at Boston Medical Center. I was a</p> <p>23 chaplain at a university in the greater Boston area,</p> <p>24 and a variety of other experiences go into the</p> <p>25 determinations of certifying for ministry.</p>

<p style="text-align: right;">Page 14</p> <p>1 S. WISELWEY</p> <p>2 So they were satisfied with the amount of</p> <p>3 preaching and pastoral care I had done over the</p> <p>4 course of my career up until that point.</p> <p>5 BY MR. CAMPBELL:</p> <p>6 Q. Okay. And what -- was it March in 2017 or</p> <p>7 sometime in early 2017 you said you became an</p> <p>8 ordained minister?</p> <p>9 A. That's correct, yes.</p> <p>10 Q. Okay. And then how do you go about</p> <p>11 getting assigned to a congregation?</p> <p>12 Or how did you end up in Charlottesville,</p> <p>13 Virginia, I guess, is a better way to ask it?</p> <p>14 A. My family and I moved back to</p> <p>15 Charlottesville, Virginia -- it's where I grew up --</p> <p>16 in the summer of 2013. My covenant for ordination</p> <p>17 was unique in that it -- but not out of left</p> <p>18 field -- in that it was not for a specific</p> <p>19 congregation but to pursue a ministry with a small</p> <p>20 organization for artists and ministers that I ran.</p> <p>21 Q. What was the name of that organization?</p> <p>22 A. Restoration Village Arts.</p> <p>23 Q. And how many members were there at</p> <p>24 Restoration Village Arts?</p> <p>25 MS. PHILLIPS: Objection. Form.</p>	<p style="text-align: right;">Page 15</p> <p>1 S. WISELWEY</p> <p>2 Go ahead.</p> <p>3 A. I'm not sure I understand the question.</p> <p>4 It's -- Restoration Village Arts is not a membership</p> <p>5 organization.</p> <p>6 BY MR. CAMPBELL:</p> <p>7 Q. Okay. So it's not akin to, like, having a</p> <p>8 congregation or something like that; is that</p> <p>9 correct?</p> <p>10 A. That's correct. It's not a church in the</p> <p>11 formal understanding of the word.</p> <p>12 Q. Could you kind of describe for me what you</p> <p>13 might do in the average week or month in your</p> <p>14 ministry at Restoration Village Arts?</p> <p>15 A. Sure. At the time, the mission statement</p> <p>16 of Restoration Village Arts was to be a learning,</p> <p>17 education, and retreat center for artists and</p> <p>18 ministers who are creating resources in today's</p> <p>19 world that we determine to be in pursuit of ministry</p> <p>20 and justice. So we gave support in the form of tiny</p> <p>21 grants, education opportunities and more for artists</p> <p>22 and ministers working in a variety of different</p> <p>23 fields.</p> <p>24 Q. Did you hold any sort of weekly or monthly</p> <p>25 services or studies or anything of the sort?</p>
<p style="text-align: right;">Page 16</p> <p>1 S. WISELWEY</p> <p>2 A. No.</p> <p>3 Q. Okay. Outside of your ministry with</p> <p>4 Restoration Village Arts, did you attend weekly or</p> <p>5 monthly services at any other church or religious</p> <p>6 organization?</p> <p>7 A. Yes.</p> <p>8 Q. And where did you attend or go to church?</p> <p>9 A. I was a member and a regular attendee at</p> <p>10 Sojourners United Church of Christ in</p> <p>11 Charlottesville.</p> <p>12 Q. Okay. Outside of your role in Restoration</p> <p>13 Village Arts, did you have a leadership role in</p> <p>14 Sojourners United Church of Christ?</p> <p>15 A. Yes.</p> <p>16 Q. What was that?</p> <p>17 A. My role was that of co-moderator within</p> <p>18 the congregation.</p> <p>19 Q. Can you give me a very general idea what a</p> <p>20 co-moderator's duties would entail?</p> <p>21 A. Sure. The United Church of Christ is</p> <p>22 what's called a "congregationalist denomination," so</p> <p>23 authority and governance reside primarily at the</p> <p>24 local level, and so the moderator or the</p> <p>25 co-moderator, as there were two of us, are the</p>	<p style="text-align: right;">Page 17</p> <p>1 S. WISELWEY</p> <p>2 conveners and sort of overseers of the church's</p> <p>3 governing body which is called the council.</p> <p>4 Q. And approximately how many members were</p> <p>5 there at Sojourners United Church of Christ?</p> <p>6 A. I'm not entirely sure. I would say weekly</p> <p>7 attendance at services was between 80 and 100, tops.</p> <p>8 Q. Okay. And I'm sure that varied. I</p> <p>9 appreciate that. I'm just sort of looking for a</p> <p>10 general ballpark sort of idea.</p> <p>11 All right. So I wanted to kind of change</p> <p>12 focus out of here a little bit and discuss for you</p> <p>13 injuries or damages that you believe you sustained</p> <p>14 as a result of the events of August 11 and 12 of</p> <p>15 2017 in Charlottesville, Virginia.</p> <p>16 So if you could, tell me any physical,</p> <p>17 mental, emotional injuries that you sustained as a</p> <p>18 result of the events of August 11 and 12.</p> <p>19 MS. PHILLIPS: Object to form.</p> <p>20 Go ahead, Seth.</p> <p>21 A. Sure.</p> <p>22 This won't be a comprehensive list, but I</p> <p>23 was diagnosed shortly after Unite the Right with</p> <p>24 acute anxiety disorder, which later manifested as</p> <p>25 posttraumatic stress disorder; diagnosed with</p>

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2 anxiety, acute stress, and other outcomes related,

3 falling under the umbrella of PTSD: Hypervigilance,

4 night terrors, and other terms that are escaping me

5 right at the moment.

6 BY MR. CAMPBELL:

7 Q. I'm certainly not trying to cut you off.

8 If you have other responses -- and, also, I'd like

9 to indicate if at any time during this deposition

10 you think of additional information that you want to

11 add to a previous question, just interrupt me and

12 say: "Hey, I thought of something else in response

13 to that question about injuries back at the

14 beginning." That is perfectly fine.

15 Okay, sir?

16 A. Sure, absolutely.

17 Q. Let me ask: Were you struck by

18 Mr. Fields' car on Water Street?

19 A. No.

20 Q. Okay. Were you physically present within,

21 say, 50 yards of the Fields' car attack on

22 August 12?

23 MS. PHILLIPS: Objection. Form.

24 A. I don't know if it was 50 yards or not. I

25 was about a block and a half away when it occurred.

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2 MS. PHILLIPS: Object to form.

3 Go ahead.

4 A. No, no lasting physical injuries.

5 BY MR. CAMPBELL:

6 Q. Well, and I -- that's a qualification.

7 I'm not just limiting it to lasting. Even

8 if you had, you know, a bruise or cut that healed

9 within a couple days, that's -- you know, this is my

10 one opportunity to ask you about injuries, and I'd

11 like you to tell me if you even had what you would

12 consider minor physical injuries as a result of the

13 actions of any rally attendee on August 11 or 12?

14 A. No.

15 Q. Okay. You mentioned you were diagnosed

16 with acute anxiety disorder and then later -- I

17 think the way you said it was "later developed PTSD

18 and associated symptoms." So that's not a question.

19 And if it was, it would be a terrible one.

20 Are you aware of any doctor that diagnosed

21 you with PTSD as a result of the events of August 11

22 and/or 12?

23 A. Yes.

24 Q. Okay. What was that doctor's name?

25 A. The diagnosis first came from my licensed

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2 BY MR. CAMPBELL:

3 Q. Okay. In which direction?

4 Can you give me the intersection you were

5 at or a business or something like that?

6 A. Sure. I was west on Water Street up near

7 Escafé Restaurant.

8 Q. Okay. And following the incident, did you

9 go to the scene of the car attack?

10 A. Yes.

11 Q. And did you observe people with physical

12 injuries on the street at Water Street?

13 A. Yes.

14 Q. Okay. Did you attempt to administer care?

15 First aid? Anything like that?

16 A. Yes.

17 Q. Okay. Do you know if you observed any of

18 the other plaintiffs in this lawsuit during your --

19 well, while you were at that location?

20 A. I don't know.

21 Q. Okay. All right.

22 Did you have any other physical injuries

23 as a result of maybe some other attendee of Unite

24 the Right punching you, hitting you with a stick,

25 anything like that?

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2 professional counselor, and then I met to discuss

3 with my primary care provider, Dr. Brian Uthlaut.

4 Q. Okay. Could you spell that for me and

5 possibly the court reporter, if you know how to

6 spell Dr. Uthlaut's last name?

7 A. Sure. Brian, B-r-i-a-n, Uthlaut,

8 U-t-h-l-a-u-t.

9 Q. Okay. Who was the licensed clinical

10 professional you were speaking of that initially

11 made the diagnosis?

12 A. Carol Sims, S-i-m-s.

13 Q. Thank you, sir.

14 And do you know about how long after

15 August 12 you were first diagnosed with acute

16 anxiety disorder?

17 A. I don't remember exactly when, but it was

18 within the span of three or four weeks.

19 Q. Okay. And when is the first time you

20 sought any sort of medical and/or counseling

21 treatment following August 12?

22 A. Within the same span. Within three or

23 four weeks, I met with Carol Sims, Dr. Uthlaut and

24 then also received a referral to meet with a

25 licensed clinical social worker specialized in

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2 trauma care.

3 Q. Okay. And understanding you are not a

4 doctor -- and this may draw an objection from your

5 counsel -- what is your understanding or what were

6 you experiencing in the weeks after August 12 that

7 led you to go and seek treatment?

8 MS. PHILLIPS: Object to form.

9 (Interruption.)

10 (Stenographer clarification.)

11 BY MR. CAMPBELL:

12 Q. I imagine you would like me to restate the

13 question?

14 A. Yes, please.

15 Q. Okay. Understanding you're not a medical

16 doctor, what is your understanding of what you were

17 experiencing that caused you to seek medical

18 treatment?

19 MS. PHILLIPS: Objection. Form.

20 You can answer.

21 A. I am not a medical doctor, but I remember

22 the catalyzing event for reaching out for care

23 involved difficulty breathing, chest constrictions,

24 and, for lack of a better word, becoming locked up

25 and immobile at different points, unable to

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2 have transpired on different occasions.

3 BY MR. CAMPBELL:

4 Q. Do you have any concept or can you give me

5 a ballpark of on how many different occasions you've

6 had panic attacks since Unite the Right?

7 A. Sure. I don't entirely recall, but at the

8 level of acuity that I experienced in that

9 catalyzing event, I would say around five.

10 Q. Okay. And I take it, from your answer,

11 you've had more than five that were of lesser

12 severity?

13 A. Yes.

14 Q. Okay. Do you remember how long after

15 Unite the Right the initial catalyzing event

16 occurred?

17 A. Yes. Not exactly. It was in early to

18 mid-September 2017.

19 Q. Okay. So in the same three to four weeks'

20 time period following August 12?

21 A. Yes.

22 Q. Following that event, did you go and seek

23 treatment at an emergency room?

24 MS. PHILLIPS: Objection to form.

25 Go ahead.

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2 function.

3 BY MR. CAMPBELL:

4 Q. Had you ever experienced anything like

5 that prior to the weeks following August 12, 2017?

6 A. No.

7 Q. I mean, to me -- also not being a medical

8 professional -- that sounds like something that

9 could be characterized as a panic attack.

10 Has any physician or therapist related or

11 described to you that what you were describing was a

12 panic attack?

13 A. Yes.

14 MS. PHILLIPS: Objection. Form.

15 THE DEPONENT: Oh, sorry.

16 A. Yes.

17 BY MR. CAMPBELL:

18 Q. And other than the catalyzing event you

19 just described and agreeing that we're -- neither of

20 us are medical professionals, have you had any other

21 such events which we could loosely characterize as

22 panic attacks?

23 MS. PHILLIPS: Objection. Form.

24 Go ahead.

25 A. Since Unite the Right, these occurrences

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2 A. No, I did not seek treatment at an

3 emergency room.

4 BY MR. CAMPBELL:

5 Q. Okay. Who was the first medical provider

6 you saw following what you've described as the

7 catalyzing event?

8 A. Dr. Brian Uthlaut.

9 Q. So you saw your primary care doctor first?

10 A. Yes. My father is also a physician, and I

11 spoke with him about the symptoms in his capacity as

12 well.

13 Q. Okay. What is your father -- where did

14 your father reside in August and September of 2017?

15 A. Charlottesville, Virginia.

16 Q. Okay. Did you speak to him in person or

17 over the phone regarding what you experienced?

18 A. In person.

19 Q. Okay. All right. And so, again, I'm just

20 trying to get a general idea.

21 You described five what I will

22 characterize as "severe panic attacks" following

23 August 12. Were they all in sharp succession in

24 September -- you know, in 2017, or were they kind of

25 spread out in the years that have passed since

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2 August 2017?

3 MS. PHILLIPS: Objection. Form.

4 Go ahead.

5 A. The majority of acute incidences happened

6 in the more direct aftermath of August 2017 and the

7 first 12 months after.

8 BY MR. CAMPBELL:

9 Q. Okay. Let me ask this way: For example,

10 have you had what you consider an acute panic attack

11 in the last 12 months?

12 A. Yes.

13 Q. And approximately when was that?

14 A. May of 2020.

15 Q. Okay. And, again, understanding that

16 you're not a medical professional, what, if

17 anything, in your mind, triggered that acute panic

18 attack in May 2020?

19 MS. PHILLIPS: Object to form.

20 A. Acute stress and anxiety.

21 BY MR. CAMPBELL:

22 Q. Acute stress and anxiety of what nature?

23 MS. PHILLIPS: Object to form.

24 A. There is a lot of things going on in life.

25 As this case has moved forward, reminders and

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1 S. WISELWEY

2 Q. Okay. Had you previously been prescribed

3 Omeprazole -- or whatever the pronunciation is --

4 after August 12?

5 A. No.

6 Q. Had you been prescribed any prescription

7 medications after August 12 but before May 20?

8 A. Yes.

9 Q. Okay. And what medications and by whom?

10 A. I was prescribed Sertraline to help deal

11 with the anxiety and attendant additional symptoms

12 in the spring of 2019 by a resident working in

13 Dr. Uthlaut's office.

14 Q. Did you have any prescriptions for anxiety

15 or anything else related to Unite the Right rally

16 between August 2017 and the spring of 2019?

17 A. Yes.

18 Q. What other prescriptions did you have?

19 A. I was prescribed by Dr. Uthlaut a medicine

20 to help with sleep in September/October of 2017 when

21 I was experiencing a lot of difficulty sleeping --

22 night terrors and hypervigilance -- at night. I

23 don't recall the exact name of it.

24 Q. Was it something akin to Ambien, if you

25 know?

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2 scheduling created chest constriction and pain that

3 led me to go to the emergency room here in Tucson.

4 BY MR. CAMPBELL:

5 Q. Okay. And what emergency room?

6 A. St. Joseph's Hospital.

7 Q. What was your understanding of the

8 diagnosis, if any, at St. Joseph's Hospital

9 emergency room?

10 MS. PHILLIPS: Object to form.

11 A. I don't recall all that the emergency

12 doctor said it could have been. He recommended

13 following up with my primary care provider here,

14 which I did. I was prescribed a brief course of

15 medicine to help -- I don't know the medical term,

16 but lessen the severity of these kind of spasms in

17 my chest.

18 But they did not find -- I do remember

19 they did not find anything from my blood panel or

20 anything that was physiologically the cause.

21 BY MR. CAMPBELL:

22 Q. The brief course of medicine, what was

23 that? What prescription medicine was that?

24 A. My -- I might screw up the pronunciation,

25 Omeprazole.

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1 S. WISELWEY

2 A. I don't know because I've never been

3 prescribed Ambien.

4 Q. Okay. All right. And so other than those

5 two prescriptions -- and, again, not -- you know,

6 prior to the May 2020 prescription -- any other

7 prescription medications you received after Unite

8 the Right?

9 A. I don't believe so, no.

10 Q. Had you ever been prescribed any

11 medication for anxiety in, say, the 10 years before

12 Unite the Right?

13 A. No.

14 Q. Okay. Did anything about Unite the Right

15 or any anxiety or related issues you were having --

16 did anything like that cause your relocation from

17 Charlottesville to Arizona?

18 MS. PHILLIPS: Object to form.

19 THE DEONENT: Sorry.

20 A. Yes.

21 BY MR. CAMPBELL:

22 Q. Okay. And -- yeah, that was a very bad

23 and convoluted question.

24 What caused your relocation from

25 Charlottesville?

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1 S. WISELWEY

2 A. There were a few different reasons we

3 moved to Tucson specifically. My family was looking

4 to relocate, given some of the difficulty of

5 remaining in Charlottesville for us in the aftermath

6 of Unite the Right. We chose Tucson specifically

7 related to health issues my mother-in-law was having

8 and to be near to her.

9 Q. Okay. And are you still a minister with

10 the Church of Christ?

11 A. Yes. Yes.

12 Q. Do you have a congregation -- or however

13 you would describe it -- in Tucson?

14 A. I do now. I secured a position as interim

15 pastor of a local congregation.

16 Q. Okay. So in the -- so the next couple of

17 questions I'm going to ask you, I'm going to try and

18 focus in time, say, September of 2017 through the

19 end of the year in 2017.

20 Were you able to perform your normal

21 duties at Restoration Village Arts during September

22 to December 2017?

23 A. No.

24 MS. PHILLIPS: Object to form.

25 THE DEPONENT: Sorry.

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1 S. WISELWEY

2 became much more threadbare.

3 BY MR. CAMPBELL:

4 Q. Did someone replace your role at

5 Restoration Village Arts?

6 MS. PHILLIPS: Objection. Form.

7 A. No. Since I was released from my role as

8 directing minister in early 2018, it has not taken

9 on the form or function that existed prior to Unite

10 the Right.

11 BY MR. CAMPBELL:

12 Q. Okay. How about, again, same time frame.

13 During the period from September to

14 December 2017, were you able to fulfill your

15 responsibilities as co-moderator at the church?

16 A. No.

17 Q. Okay. Were you able to attend church from

18 September to December 2017?

19 A. Yes.

20 Q. Did someone else take your position as

21 co-moderator?

22 A. Yes.

23 Q. Who was that?

24 A. His name was Dave -- I can't remember his

25 last name right now.

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1 S. WISELWEY

2 A. No.

3 BY MR. CAMPBELL:

4 Q. Okay. And what sorts of responsibilities

5 were you unable to fulfill during that time period?

6 A. The responsibilities I was unable to

7 fulfill included not being able to accomplish the

8 basic missional objectives that we had been doing

9 prior, including offering retreat space and event

10 space to artists and ministers, basic human

11 resources tasks, and maintenance of the

12 organization.

13 I could go on and on, but the -- but I was

14 unable to continue the mission as it had existed

15 prior to the summer as we kind of dealt with the

16 fallout and cost of Unite the Right and my

17 experience therein.

18 Q. Okay. And was that due to the anxiety and

19 related symptoms you were experiencing?

20 MS. PHILLIPS: Object to form.

21 A. Yes. That was the catalyzing factor.

22 Our program manager was also struggling

23 and determined it was in her best health interest to

24 step away from that role for similar reasons. And

25 so the organization and our abilities to maintain

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1 S. WISELWEY

2 Q. Okay. Did the original other co-moderator

3 remain on?

4 A. Yes.

5 Q. And what was his name -- his or her?

6 A. Her name was Ava Baum, B-a-u-m.

7 Q. Other than your responsibilities at

8 Restoration Village Arts and your responsibilities

9 as co-moderator at the church, did you have any

10 other jobs?

11 MS. PHILLIPS: Object to form.

12 THE DEPONENT: Sorry.

13 A. In that period of time, no.

14 BY MR. CAMPBELL:

15 Q. Okay. In the period of time from

16 September to December 2017, did you own an

17 automobile?

18 A. Yes.

19 Q. Okay. Were you able to drive your

20 automobile from the period of September to

21 December 2017?

22 A. I remember that I used our automobile in

23 that time period.

24 Q. Okay. So the anxiety and PTSD symptoms

25 you were having didn't prevent you from operating a

<p>Page 34</p> <p>1 S. WISELWEY</p> <p>2 motor vehicle; is that correct?</p> <p>3 MS. PHILLIPS: Object to form.</p> <p>4 A. Not that --</p> <p>5 THE DEPONENT: Oh, sorry.</p> <p>6 A. Not that I recall, no.</p> <p>7 BY MR. CAMPBELL:</p> <p>8 Q. Okay. Were there any other activities of</p> <p>9 normal daily living that you were incapable of</p> <p>10 performing from September to December 2017 that you</p> <p>11 believe are as a result of the effects of the Unite</p> <p>12 the Right rally?</p> <p>13 A. Yes.</p> <p>14 Q. All right. Tell me about those, please.</p> <p>15 A. They would vary, in large part, dependent</p> <p>16 on when I would lock up or become nonfunctioning.</p> <p>17 Generally, though, the ability to</p> <p>18 socialize and go out in public became increasingly</p> <p>19 difficult. I felt much more secure in my home, and</p> <p>20 so I stopped going out in public when I could --</p> <p>21 whenever I could.</p> <p>22 Q. Were you able, for example, to go to the</p> <p>23 grocery store to get food?</p> <p>24 MS. PHILLIPS: Object to form.</p> <p>25 Go ahead.</p>	<p>Page 35</p> <p>1 S. WISELWEY</p> <p>2 A. Yes. I believe I grocery-shopped during</p> <p>3 that time.</p> <p>4 BY MR. CAMPBELL:</p> <p>5 Q. Okay. Were you able to care for yourself?</p> <p>6 Like shower?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And, again, these-- this current</p> <p>9 section of questioning, I'm kind of asking about</p> <p>10 September to December 2017. If I'm moving beyond</p> <p>11 that period, I'll let you know.</p> <p>12 Okay, sir?</p> <p>13 A. Sure.</p> <p>14 Q. Okay. How about, like, clean your house?</p> <p>15 Were you able to perform regular</p> <p>16 housecleaning tasks?</p> <p>17 A. I don't recall.</p> <p>18 Q. Were you married?</p> <p>19 A. Yes.</p> <p>20 Q. And prior to August 12, did you and your</p> <p>21 spouse share household chores?</p> <p>22 A. Yes.</p> <p>23 Q. Did your spouse attend Unite the Right --</p> <p>24 or, not attend, but counterprotest Unite the Right?</p> <p>25 A. Is the question --</p>
<p>Page 36</p> <p>1 S. WISELWEY</p> <p>2 MS. PHILLIPS: Object to form.</p> <p>3 Go ahead.</p> <p>4 A. Is the question whether my spouse was out</p> <p>5 in public on August 12, 2017?</p> <p>6 BY MR. CAMPBELL:</p> <p>7 Q. Well, not just generally out in public,</p> <p>8 but, like, out in the downtown Charlottesville,</p> <p>9 Virginia, area.</p> <p>10 A. No. My spouse was not out on August 12,</p> <p>11 2017. She was at our home.</p> <p>12 Q. Did you have children in August of 2017?</p> <p>13 A. Yes.</p> <p>14 Q. Following the events of August 12, 2017,</p> <p>15 did you have to retain, like, a nanny or maid or any</p> <p>16 other individual to assist with household tasks that</p> <p>17 you did not have retained prior to August of 2017?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And tell me about that.</p> <p>20 Was it a maid? a nanny? Both?</p> <p>21 MS. PHILLIPS: Object to form.</p> <p>22 A. Primarily housecleaning services. My</p> <p>23 spouse, to help with the load created by some of my</p> <p>24 difficulties, solicited help. I'm not sure exactly</p> <p>25 the frequency, but yes. The school year started</p>	<p>Page 37</p> <p>1 S. WISELWEY</p> <p>2 shortly thereafter, so I don't believe we required</p> <p>3 the services of a nanny.</p> <p>4 BY MR. CAMPBELL:</p> <p>5 Q. Okay. And in the period from August of --</p> <p>6 sorry -- September to December 2017, did you go to</p> <p>7 school functions for your children?</p> <p>8 A. No, not that I recall.</p> <p>9 Q. What would you do on an average week in</p> <p>10 September of 2017?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. I don't fully recall all I was doing.</p> <p>13 There was a lot of attention on our community</p> <p>14 following Unite the Right and a lot of uncertainty</p> <p>15 about our general safety and security; so I was</p> <p>16 responding to different asks to show up and bear</p> <p>17 witness for where different events might be taking</p> <p>18 place but otherwise staying at home, turning off</p> <p>19 social media and that sort of thing, and trying to</p> <p>20 deal with the onslaught of asks.</p> <p>21 BY MR. CAMPBELL:</p> <p>22 Q. What sort of asks? What do you mean?</p> <p>23 A. There was a lot of attention and asks from</p> <p>24 media outlets, from churches and denominations and</p> <p>25 faith leaders from around the country wanting to</p>

<p>Page 38</p> <p>1 S. WISELWEY</p> <p>2 know whether we could talk with them or help them.</p> <p>3 It was an overwhelming amount of contact made.</p> <p>4 Q. I understand.</p> <p>5 So people are asking you for some of your</p> <p>6 time or to speak with them, that kind of thing?</p> <p>7 A. That's correct.</p> <p>8 Q. Okay. Did you conduct any speaking</p> <p>9 engagements in the period from September to</p> <p>10 December 2017?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. Yes.</p> <p>13 BY MR. CAMPBELL:</p> <p>14 Q. Okay. And tell me any speaking</p> <p>15 engagements you recall during that time period.</p> <p>16 A. I recall two, off the top of my head. In</p> <p>17 September of 2017, I agreed to speak at a seminary</p> <p>18 outside Atlanta where a friend of ours -- who was a</p> <p>19 donor to Restoration Village Arts, as a professor --</p> <p>20 and I spoke on a panel in December of 2017 at the</p> <p>21 request of a leader within our denomination. And I</p> <p>22 don't know if this counts, but I also spoke briefly</p> <p>23 at a gathering for the National Council of Churches</p> <p>24 in November of 2017.</p> <p>25 Q. Okay. Did you give any interviews or</p>	<p>Page 39</p> <p>1 S. WISELWEY</p> <p>2 speeches for anything nondenominational or not at</p> <p>3 all related to your ministry or your church?</p> <p>4 A. No. All of these engagements were related</p> <p>5 to what had transpired in Charlottesville, Unite the</p> <p>6 Right, and my work there.</p> <p>7 Q. So, for example, Mr. Martin, I believe</p> <p>8 testified that he went on, like, Ellen DeGeneres.</p> <p>9 Did you do any interviews on TV shows or</p> <p>10 for news organizations or anything like that</p> <p>11 following Unite the Right?</p> <p>12 MS. PHILLIPS: Object to form.</p> <p>13 Go ahead.</p> <p>14 A. Between September and December?</p> <p>15 BY MR. CAMPBELL:</p> <p>16 Q. Let's say between August 12, 2017, and</p> <p>17 December 2017.</p> <p>18 A. I gave one TV interview the night of</p> <p>19 August 12, 2017. I don't believe there were any</p> <p>20 other television-speaking engagements. I spoke with</p> <p>21 a few print outlets during that period of time, yes.</p> <p>22 Q. Okay. Those are just kind of telephone or</p> <p>23 video interviews, or did you actually physically go</p> <p>24 somewhere to speak with a representative of the</p> <p>25 print outlet?</p>
<p>Page 40</p> <p>1 S. WISELWEY</p> <p>2 A. No, those were all by telephone between</p> <p>3 August 12 and December.</p> <p>4 Q. Okay. The engagement you mentioned,</p> <p>5 September 2017, when you spoke to the seminary</p> <p>6 outside Atlanta, how many people were present at</p> <p>7 your speech?</p> <p>8 A. I spoke with a small class of about 20 to</p> <p>9 25 people, taught by my friend and our</p> <p>10 organization's donor, and spoke at a chapel service</p> <p>11 that I would put at about 75 people.</p> <p>12 Q. And then how about the gathering of</p> <p>13 churches in November of 2017? How many people were</p> <p>14 present there when you spoke?</p> <p>15 A. Again, I would say about 75 people at the</p> <p>16 gathering for National Council of Churches.</p> <p>17 Q. Okay. And where was that? Is it like at</p> <p>18 a seminary, or was it at a public venue?</p> <p>19 A. I believe it was outside Washington, D.C.</p> <p>20 in Silver Spring, Maryland, if I remember correctly.</p> <p>21 Q. Was it at a hotel or a convention center?</p> <p>22 A. It was at a hotel, yes.</p> <p>23 Q. Okay. And then same question: For the</p> <p>24 December 2017 panel, how many people were present</p> <p>25 when you spoke there?</p>	<p>Page 41</p> <p>1 S. WISELWEY</p> <p>2 A. Not many. That was a gathering of faith</p> <p>3 leaders. I would say no more than 25.</p> <p>4 Q. Okay. And in all of those -- or those</p> <p>5 three -- I'm sorry -- speaking engagements, you were</p> <p>6 discussing the events of August 11 and 12, 2017; is</p> <p>7 that correct?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. All right. Are you -- in your role</p> <p>10 as a pastor or minister, are you a counselor for</p> <p>11 others?</p> <p>12 MS. PHILLIPS: Object to form.</p> <p>13 A. I provide pastoral care and counseling as</p> <p>14 a minister, though I'm not a licensed counselor.</p> <p>15 BY MR. CAMPBELL:</p> <p>16 Q. Did you have any training for providing</p> <p>17 pastoral care and counseling?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. What did that involve? Just</p> <p>20 generally.</p> <p>21 A. As noted earlier, my subspecialty with my</p> <p>22 divinity degree is in pastoral care and counseling,</p> <p>23 and that involves internship placements at a</p> <p>24 hospital in Boston as well as the requirement to</p> <p>25 take several courses in that arena, some of which</p>

<p>Page 42</p> <p>1 S. WISELWEY</p> <p>2 involved practical simulation of pastoral care and</p> <p>3 counseling.</p> <p>4 Q. The internship at the hospital in Boston,</p> <p>5 what was the name of that internship?</p> <p>6 MS. PHILLIPS: Object to the form.</p> <p>7 Go ahead.</p> <p>8 A. I'm not sure it has a formal name within</p> <p>9 the program I was doing at Boston College. The</p> <p>10 general term might be something like "field study,"</p> <p>11 but I was under the direct supervision of one of the</p> <p>12 certified chaplains at the hospital.</p> <p>13 BY MR. CAMPBELL:</p> <p>14 Q. Okay. In your education, did you have any</p> <p>15 psychology classes?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And was it one? More than one? A</p> <p>18 handful?</p> <p>19 A. I would say a handful between undergrad</p> <p>20 and then certainly in graduate school.</p> <p>21 Q. Okay. And how about psychiatry? Any</p> <p>22 classes along those lines?</p> <p>23 A. I don't believe I took any psychiatry</p> <p>24 classes.</p> <p>25 Q. Okay. How about clinical counseling</p>	<p>Page 43</p> <p>1 S. WISELWEY</p> <p>2 classes? Do you have any of those?</p> <p>3 A. Yes. There were, in graduate school, a</p> <p>4 couple courses taken in best practices for clinical</p> <p>5 counseling.</p> <p>6 Q. Okay. Is it fair to say you're familiar</p> <p>7 with coping mechanisms and that sort of thing?</p> <p>8 A. I know the term.</p> <p>9 Q. Okay. Were you familiar with general</p> <p>10 indicators and impressions of PTSD as a result of</p> <p>11 your education and training?</p> <p>12 A. Yes.</p> <p>13 Q. All right. So I kind of wanted to switch</p> <p>14 gears on you and ask you questions now about leading</p> <p>15 up to August 11 and 12 of 2017.</p> <p>16 Were you involved in any sort of community</p> <p>17 engagement or planning to organize counterprotesters</p> <p>18 to the Unite the Right rally?</p> <p>19 A. Yes.</p> <p>20 Q. And when did you first learn of the plan</p> <p>21 for the Unite the Right rally?</p> <p>22 A. I first learned of -- I'm sorry.</p> <p>23 MS. PHILLIPS: Objection. Form.</p> <p>24 Go ahead and answer.</p> <p>25 A. I first learned of the plans for the Unite</p>
<p>Page 44</p> <p>1 S. WISELWEY</p> <p>2 the Right rally within one day of its announcement</p> <p>3 by its organizer.</p> <p>4 BY MR. CAMPBELL:</p> <p>5 Q. Okay. Do you remember approximately when</p> <p>6 that was?</p> <p>7 A. Approximately it was in mid, later May</p> <p>8 2017, as I recall.</p> <p>9 Q. Okay. And did you immediately begin</p> <p>10 planning to organize counterprotests to the rally?</p> <p>11 MS. PHILLIPS: Object to the form.</p> <p>12 Go ahead, Seth.</p> <p>13 A. I did not immediately begin planning</p> <p>14 specifically for Unite the Right. There were</p> <p>15 upcoming events preceding it that were taking some</p> <p>16 of our attention as well.</p> <p>17 BY MR. CAMPBELL:</p> <p>18 Q. Okay. So, when did you move to</p> <p>19 Charlottesville, again? I apologize.</p> <p>20 I know you have already said this but --</p> <p>21 A. I moved back to Charlottesville, again, in</p> <p>22 the summer of 2013.</p> <p>23 Q. Okay. And then were you kind of</p> <p>24 distance-learning -- for lack of an accurate</p> <p>25 phrase -- in order to complete your divinity</p>	<p>Page 45</p> <p>1 S. WISELWEY</p> <p>2 training? I thought you'd said that you completed</p> <p>3 your training in March of 2017?</p> <p>4 A. I was ordained in March of 2017. I had</p> <p>5 completed all of the requirements outside of a</p> <p>6 30-page paper by probably 2015. I was employed</p> <p>7 elsewhere prior. I completed my paper and the final</p> <p>8 purposes for ordination in the fall of 2016, but I</p> <p>9 had already completed all of the requirements at</p> <p>10 least a few years prior.</p> <p>11 Q. I understand. Okay.</p> <p>12 So you had been in Charlottesville for a</p> <p>13 while?</p> <p>14 A. Yes.</p> <p>15 Q. Prior to -- okay. All right.</p> <p>16 So let me see. So there was -- I'm just</p> <p>17 going through a report here. So I apologize, my --</p> <p>18 So there was a May 13, 2017, rally or</p> <p>19 demonstration in Charlottesville; correct?</p> <p>20 A. I believe so.</p> <p>21 Q. Okay. Did you protest or counterprotest</p> <p>22 that event on May 13?</p> <p>23 A. You're referring to the white supremacist</p> <p>24 torch rally in Emancipation Park?</p> <p>25</p>

<p style="text-align: right;">Page 46</p> <p>1 S. WISELWEY</p> <p>2 Q. Well, I think there -- at least according</p> <p>3 to the Heaphy Report, there was an earlier event at</p> <p>4 McGuffey Park, but I believe later that evening,</p> <p>5 yes, so I'm kind of asking about both of those</p> <p>6 events.</p> <p>7 So, if it's described to me -- and I'm not</p> <p>8 super familiar with this event -- as the Jackson</p> <p>9 Park event.</p> <p>10 Do you know what-- on May 13, do you know</p> <p>11 what that's in reference to?</p> <p>12 MS. PHILLIPS: Objection. Form.</p> <p>13 A. Yes. Yes. Earlier, the day of the torch</p> <p>14 rally in Emancipation Park around the Robert E. Lee</p> <p>15 statue, white supremacists also rallied around the</p> <p>16 Stonewall Jackson statue.</p> <p>17 BY MR. CAMPBELL:</p> <p>18 Q. Okay. Did you counterprotest or protest</p> <p>19 that event?</p> <p>20 MS. PHILLIPS: Object to form.</p> <p>21 A. I learned about both events after the</p> <p>22 fact. I attended a candlelight vigil following,</p> <p>23 which I believe was the night after.</p> <p>24 BY MR. CAMPBELL:</p> <p>25 Q. Gotcha. The May 14 event?</p>	<p style="text-align: right;">Page 47</p> <p>1 S. WISELWEY</p> <p>2 A. Yes. If that's when the candlelight vigil</p> <p>3 was, that's what I attended.</p> <p>4 Q. Okay. I understand. All right.</p> <p>5 And so then it looks like the next event</p> <p>6 was a July 8 Ku Klux Klan rally; is that correct?</p> <p>7 A. Yes. That's my memory of the next major</p> <p>8 white supremacist event in Charlottesville.</p> <p>9 Q. Okay. Did you protest or counterprotest</p> <p>10 the July 8 Ku Klux Klan rally?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. Yes.</p> <p>13 BY MR. CAMPBELL:</p> <p>14 Q. Okay. And did you organize others to join</p> <p>15 you in counterprotesting the Ku Klux Klan rally?</p> <p>16 MS. PHILLIPS: Object to form.</p> <p>17 A. Yes.</p> <p>18 BY MR. CAMPBELL:</p> <p>19 Q. And can you give me some idea of what</p> <p>20 you're doing when you're organizing a counterprotest</p> <p>21 to any of these rallies?</p> <p>22 MS. PHILLIPS: Object to form.</p> <p>23 A. There is a lot of different ways to answer</p> <p>24 that question because there's a lot of different</p> <p>25 circumstances and things going on that summer, but,</p>
<p style="text-align: right;">Page 48</p> <p>1 S. WISELWEY</p> <p>2 more broadly, I engage in interests that people of</p> <p>3 faith and conscience have to stand up for their</p> <p>4 community in a variety of ways and equipping them to</p> <p>5 do that.</p> <p>6 BY MR. CAMPBELL:</p> <p>7 Q. Are you -- were you active on social media</p> <p>8 in trying to organize people to counterprotest the</p> <p>9 July 8 KKK rally?</p> <p>10 MS. PHILLIPS: Object to the form.</p> <p>11 A. I'm not sure that I can say both of those</p> <p>12 things are directly connected. I had social media</p> <p>13 accounts in the summer of 2017, and I also organized</p> <p>14 people of faith and conscience to bear witness at</p> <p>15 the KKK rally on July 8, 2017.</p> <p>16 BY MR. CAMPBELL:</p> <p>17 Q. Okay. Yeah, and I was -- the next</p> <p>18 question was going to be about, you know, whether</p> <p>19 you physically organized people at your church or</p> <p>20 your organization or in other ways. So I was kind</p> <p>21 of -- the first question was, did you utilize social</p> <p>22 media to try to get the word out about people</p> <p>23 counterprotesting the July 8 rally?</p> <p>24 MS. PHILLIPS: Object to form.</p> <p>25 Go ahead.</p>	<p style="text-align: right;">Page 49</p> <p>1 S. WISELWEY</p> <p>2 A. I believe so, yes.</p> <p>3 BY MR. CAMPBELL:</p> <p>4 Q. And would you speak at church services in</p> <p>5 order to attempt to get people to counterprotest the</p> <p>6 July 8 rally?</p> <p>7 A. No.</p> <p>8 Q. Okay. Would you put up flyers or posters</p> <p>9 or anything like that in downtown Charlottesville to</p> <p>10 alert people to the upcoming July 8 rally?</p> <p>11 A. No, I did not.</p> <p>12 Q. Okay. So how -- other than on social</p> <p>13 media, how would you -- what, if any, physical steps</p> <p>14 would you take to organize a counterprotest to the</p> <p>15 July 8 rally?</p> <p>16 A. At the time leading up to the July 8</p> <p>17 rally, I was a participant and attendee at regular</p> <p>18 gatherings of an entity called the Charlottesville</p> <p>19 Clergy Collective. When plans were made by the KKK</p> <p>20 to hold the July 8 rally, a subcommittee of the</p> <p>21 Charlottesville Clergy Collective was formed to</p> <p>22 determine an ecumenical response from faith leaders</p> <p>23 and people of faith in the area.</p> <p>24 I served on that committee pulling</p> <p>25 together different ideas to engage people who felt</p>

<p>Page 50</p> <p>1 S. WISELWEY</p> <p>2 called to respond in some way on July 8. And so my</p> <p>3 organizing -- insomuch as it was mine -- happened in</p> <p>4 joint concert with colleagues across the area at</p> <p>5 those meetings and advertising through our listservs</p> <p>6 to different congregations.</p> <p>7 Q. I understand.</p> <p>8 Did you go and physically speak at any</p> <p>9 other congregation in the Charlottesville area as</p> <p>10 part of the subcommittee in trying to organize a</p> <p>11 counterprotest to the July 8 rally?</p> <p>12 A. No. I don't recall doing that.</p> <p>13 Q. All right. And then you physically went</p> <p>14 and counterprotested the July 8 rally; is that</p> <p>15 correct, sir?</p> <p>16 A. I was physically there, yes.</p> <p>17 Q. Okay. And did you observe any violence --</p> <p>18 and by "violence," I would say more than pushing and</p> <p>19 shoving -- in or around the July 8 KKK rally?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Tell me about what violence you</p> <p>22 observed.</p> <p>23 A. I observed members of law enforcement</p> <p>24 dragging counterprotesters. I observed and</p> <p>25 experienced being gassed with a chemical agent by</p>	<p>Page 51</p> <p>1 S. WISELWEY</p> <p>2 law enforcement.</p> <p>3 Q. Did you observe any violence precipitated</p> <p>4 by any attendees of the KKK rally?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. No.</p> <p>7 BY MR. CAMPBELL:</p> <p>8 Q. Okay. From your perception, did law</p> <p>9 enforcement keep attendees and counterprotesters at</p> <p>10 the KKK rally separated?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. Yes. Yes.</p> <p>13 BY MR. CAMPBELL:</p> <p>14 Q. And how did they do that? What method did</p> <p>15 police use to keep the groups separated?</p> <p>16 MS. PHILLIPS: Object to form.</p> <p>17 A. On July 8, 2017, I observed metal barriers</p> <p>18 placed in the park near the Stonewall Jackson</p> <p>19 statue, one for the KKK and one -- and then outside</p> <p>20 of that is where counterprotesters were. I also</p> <p>21 observed law enforcement create with their own</p> <p>22 bodies and tools a pathway for the KKK to enter that</p> <p>23 zone for their rally.</p> <p>24 BY MR. CAMPBELL:</p> <p>25 Q. You mention that you saw law enforcement</p>
<p>Page 52</p> <p>1 S. WISELWEY</p> <p>2 dragging protestors at the KKK rally; is that</p> <p>3 correct, sir?</p> <p>4 A. Yes.</p> <p>5 Q. Did you see law enforcement dragging any</p> <p>6 rally attendees?</p> <p>7 A. No.</p> <p>8 Q. Okay. And I think you mentioned you and</p> <p>9 other protestors were gassed with a chemical agent</p> <p>10 at the July 8 rally; is that correct, sir?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. Yes.</p> <p>13 BY MR. CAMPBELL:</p> <p>14 Q. Did you observe whether any of the KKK</p> <p>15 rally attendees were gassed with chemical agents?</p> <p>16 MS. PHILLIPS: Object to form.</p> <p>17 A. No. I observed the KKK rally attendees</p> <p>18 depart before the chemical dispersants were used.</p> <p>19 BY MR. CAMPBELL:</p> <p>20 Q. Okay. I understand. All right. In the</p> <p>21 summer of 2017, did you identify as Antifa -- or</p> <p>22 Antifa (pronouncing)?</p> <p>23 MS. PHILLIPS: Object to form.</p> <p>24 A. No.</p> <p>25 BY MR. CAMPBELL:</p>	<p>Page 53</p> <p>1 S. WISELWEY</p> <p>2 Q. Okay. Are you a member of any political</p> <p>3 organization with the explicit stated goal of</p> <p>4 countering racism?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. I'm not sure what's --</p> <p>7 MR. CAMPBELL: You can just have a</p> <p>8 continuing objection to form, if you'd like,</p> <p>9 Counsel.</p> <p>10 MS. PHILLIPS: Okay.</p> <p>11 Go ahead.</p> <p>12 A. No.</p> <p>13 BY MR. CAMPBELL:</p> <p>14 Q. Okay. Were you contacted by</p> <p>15 Charlottesville Police Department in advance of the</p> <p>16 Unite to Right rally?</p> <p>17 A. No. And if I can clarify my previous</p> <p>18 answer, the United Church of Christ as a</p> <p>19 denomination has a platform that condemns racism.</p> <p>20 So if that's to be understood as "membership," then</p> <p>21 I want to say that I am a member of the United</p> <p>22 Church of Christ, which explicitly condemns racism.</p> <p>23 Q. Gotcha. And I appreciate that</p> <p>24 clarification. I was kind of indicating, like,</p> <p>25 Black Lives Matter or Standing Up for Racial Justice</p>

<p>Page 54</p> <p>1 S. WISELWEY</p> <p>2 or an organization where essentially the sole goal</p> <p>3 or main goal is racism. But I certainly understand</p> <p>4 and appreciate your clarification.</p> <p>5 A. Sure. I occasionally contribute podcasts</p> <p>6 to Showing Up for Racial Justice, Christian</p> <p>7 podcasts. That's put out weekly.</p> <p>8 Q. And thank you for correcting my misnomer.</p> <p>9 All right. So you contribute podcasts to</p> <p>10 Surge on a weekly basis?</p> <p>11 A. Once a month or so, at most, I contribute</p> <p>12 a podcast to what is kind of a side entity of Surge,</p> <p>13 called Surge Faith.</p> <p>14 Q. And was that true in the summer of 2017?</p> <p>15 A. No. That began earlier this year, 2020.</p> <p>16 Q. Okay. All right. So I think you've</p> <p>17 already answered my question. Charlottesville</p> <p>18 Police didn't reach out to you or communicate with</p> <p>19 you prior to Unite the Right.</p> <p>20 Did any other governmental entity</p> <p>21 communicate with you in advance of Unite the Right?</p> <p>22 MS. PHILLIPS: Objection.</p> <p>23 Go ahead.</p> <p>24 A. Not that I recall, no.</p> <p>25 BY MR. CAMPBELL:</p>	<p>Page 55</p> <p>1 S. WISELWEY</p> <p>2 Q. For example, like Virginia State Police,</p> <p>3 FBI. No one like that communicated with you in</p> <p>4 advance of August 12?</p> <p>5 A. I communicated with Charlottesville's</p> <p>6 commonwealth's attorney, Joe Platania, who lived in</p> <p>7 my neighborhood, and our children shared a bus stop.</p> <p>8 He's a government official.</p> <p>9 Q. Was the nature of that communication just</p> <p>10 kind of generally updating what was going on, or was</p> <p>11 he asking you for input?</p> <p>12 MS. PHILLIPS: Object to form.</p> <p>13 A. As I recall, these were informal</p> <p>14 conversations. We shared our mutual concern about</p> <p>15 our -- the concerns for the violence that was</p> <p>16 planned at the Unite the Right rally.</p> <p>17 BY MR. CAMPBELL:</p> <p>18 Q. What do you mean when you say "the</p> <p>19 violence that was planned at the Unite the Right</p> <p>20 rally"?</p> <p>21 A. I became aware in the summer of 2017 that</p> <p>22 organizers and prospective attendees of Unite the</p> <p>23 Right were planning to hurt and attack people at the</p> <p>24 event.</p> <p>25 Q. And how did you become aware of that</p>
<p>Page 56</p> <p>1 S. WISELWEY</p> <p>2 information?</p> <p>3 A. There were a few Charlottesville community</p> <p>4 members who made a presentation to Charlottesville</p> <p>5 city council at a meeting in July 2017, I believe,</p> <p>6 using documented evidence of online chats that</p> <p>7 organizers and prospective attendees were having</p> <p>8 about Unite the Right.</p> <p>9 Q. Do you know the source of those chats or</p> <p>10 the platform?</p> <p>11 A. I don't recall all of the platforms. I</p> <p>12 believe they pulled from social media like Facebook,</p> <p>13 as well as other online chat platforms.</p> <p>14 Q. Are you familiar with the platform</p> <p>15 Discord?</p> <p>16 A. Yes.</p> <p>17 Q. Do you know whether Discord chats were</p> <p>18 presented by Charlottesville community members at</p> <p>19 that meeting in July of 2017?</p> <p>20 A. I don't recall if Discord was one of them.</p> <p>21 Q. Okay. Were you involved in obtaining or</p> <p>22 locating any of the information presented at that</p> <p>23 meeting on July of 2017 -- in July 2017?</p> <p>24 A. No.</p> <p>25 Q. Did you do any kind of internet digging to</p>	<p>Page 57</p> <p>1 S. WISELWEY</p> <p>2 try and find information about organizers or</p> <p>3 attendees for Unite the Right in advance of</p> <p>4 August 2017?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. I'm not sure I would classify it as</p> <p>7 digging, but through being present on social media</p> <p>8 and some basic googling, I did search for and find</p> <p>9 information on the organizers of the Unite the</p> <p>10 Right, yes.</p> <p>11 BY MR. CAMPBELL:</p> <p>12 Q. Okay. And who did you understand to be</p> <p>13 the organizers of Unite the Right?</p> <p>14 A. I understood Jason Kessler to be the</p> <p>15 primary organizer and convener. I also</p> <p>16 understood -- there was a poster I had seen of</p> <p>17 keynote speakers and various articles documenting</p> <p>18 who the primary speakers were and considered them to</p> <p>19 be organizers of the event as well.</p> <p>20 Q. Do you recall any names of those speakers?</p> <p>21 A. Yes. From that poster that summer, I</p> <p>22 recall Richard Spencer, Augustus Invictus, Matthew</p> <p>23 Heimbach, Baked Alaska, and those were the names</p> <p>24 that I remember at the time.</p> <p>25 Q. Okay. Do you recall James Fields being</p>

<p>Page 58</p> <p>1 S. WISELWEY</p> <p>2 listed as a keynote speaker?</p> <p>3 A. I don't recall.</p> <p>4 Q. Okay. Do you recall ever hearing the name</p> <p>5 "James Fields" before August 12, 2017?</p> <p>6 A. No, I don't recall.</p> <p>7 Q. Okay. Do you recall any other people that</p> <p>8 you perceived as organizers of Unite the Right other</p> <p>9 than Kessler, Spencer, Invictus, Heimbach, and Baked</p> <p>10 Alaska?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. Prior to Unite the Right, I learned the</p> <p>13 name Eli Mosley and Mike Peinovich as well. Andrew</p> <p>14 Anglin. These were the ones I remember learning and</p> <p>15 reading about in different articles profiling</p> <p>16 different folks coming to Unite the Right.</p> <p>17 BY MR. CAMPBELL:</p> <p>18 Q. Okay. How about Chris Cantwell?</p> <p>19 A. I don't recall.</p> <p>20 Q. Okay. Did you conduct any sort of classes</p> <p>21 or training for any of the people you were</p> <p>22 encouraging to counterprotest Unite the Right?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Tell me about that.</p> <p>25 What did you do?</p>	<p>Page 59</p> <p>1 S. WISELWEY</p> <p>2 A. Is the question what we did to gather</p> <p>3 people who were interested in counterprotesting?</p> <p>4 Q. Well, kind of what you did at the</p> <p>5 gatherings of people who were interested in</p> <p>6 counterprotesting.</p> <p>7 MS. PHILLIPS: Object to form.</p> <p>8 A. Sure. A United Church of Christ colleague</p> <p>9 and myself formed an entity we called Congregate,</p> <p>10 and between July 8 and August 12, 2017, we invited</p> <p>11 people who were interested -- people of faith who</p> <p>12 were interested in responding to Unite the Right for</p> <p>13 trainings. That involved theological education,</p> <p>14 singing, relationship building, and simulations for</p> <p>15 how to stay calm in potentially volatile</p> <p>16 circumstances.</p> <p>17 BY MR. CAMPBELL:</p> <p>18 Q. Did any of the training involve</p> <p>19 self-defense?</p> <p>20 A. I'm not sure what is meant by</p> <p>21 "self-defense." We encouraged people --</p> <p>22 Q. Any activity to --</p> <p>23 (Interruption.)</p> <p>24 (Overlapping speakers.)</p> <p>25 A. Go ahead.</p>
<p>Page 60</p> <p>1 S. WISELWEY</p> <p>2 Q. Any activity to defend oneself.</p> <p>3 A. Our trainings simply taught techniques to</p> <p>4 protect oneself in potential instances of being</p> <p>5 attacked or hurt and how to protect others but not</p> <p>6 fight back. Our mission was not to hurt or fight</p> <p>7 back.</p> <p>8 Q. What sort of techniques to protect oneself</p> <p>9 were taught at these meetings?</p> <p>10 A. I don't recall all of them. We taught</p> <p>11 people how to try to safely escape a live fire zone</p> <p>12 if guns were being used, to, you know, zigzag and</p> <p>13 stay low to the ground, to curl up in, like, a fetal</p> <p>14 position and cover one's head and major organs if</p> <p>15 being attacked or beaten, or how to cover someone</p> <p>16 else up, those kind of practical things.</p> <p>17 Q. Okay. Anything like how to stop someone</p> <p>18 from attacking another counterprotester</p> <p>19 MS. PHILLIPS: Object to form.</p> <p>20 A. If I'm understanding the question</p> <p>21 correctly, only inasmuch as how to protect the</p> <p>22 person being attacked with one's own body, by</p> <p>23 getting in between the violence and their body and</p> <p>24 covering that person's body.</p> <p>25 BY MR. CAMPBELL:</p>	<p>Page 61</p> <p>1 S. WISELWEY</p> <p>2 Q. Okay. Was there any discussion of</p> <p>3 defensive or self-protective items to bring to</p> <p>4 counterprotest Unite the Right?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. No. Our trainings were all about simply</p> <p>7 bringing our bodies and nothing else.</p> <p>8 BY MR. CAMPBELL:</p> <p>9 Q. Okay. Was there -- were there ever any</p> <p>10 Antifa present to assist in training at any of these</p> <p>11 meetings?</p> <p>12 MS. PHILLIPS: Object to form.</p> <p>13 A. No.</p> <p>14 BY MR. CAMPBELL:</p> <p>15 Q. Were you present at the August 11 torch</p> <p>16 march, assuming you know what I mean by that?</p> <p>17 A. I was not physically at or near the</p> <p>18 Rotunda or Thomas Jefferson statue. Physically</p> <p>19 near, I mean right there. I was present across the</p> <p>20 street at a church.</p> <p>21 Q. Could you see the torch march as it</p> <p>22 approached the statue?</p> <p>23 A. Yes.</p> <p>24 Q. And did you see the torch march as it</p> <p>25 approached the statue?</p>

<p>Page 62</p> <p>1 S. WISELWEY</p> <p>2 A. Yes. On two occasions, I stepped out onto</p> <p>3 the top of the steps of the church across the street</p> <p>4 and could see the torch bearers.</p> <p>5 Q. Did that cause you any fear or panic or</p> <p>6 any related symptoms?</p> <p>7 A. Yes.</p> <p>8 Q. And what church -- what church were the</p> <p>9 steps you were talking about you were standing on</p> <p>10 top of?</p> <p>11 A. The name of the church is St. Paul's</p> <p>12 Memorial Church.</p> <p>13 Q. Okay. And how did you come to be at</p> <p>14 St. Paul's Memorial Church on the evening of</p> <p>15 August 11, 2017?</p> <p>16 A. Sure. One of Congregate's organizing</p> <p>17 efforts, one of our organizing efforts, was to hold</p> <p>18 what we call a mass prayer meeting, an ecumenical</p> <p>19 opportunity for people to sing and pray and hear</p> <p>20 preaching on the occasion of this weekend. We chose</p> <p>21 St. Paul's because we wanted a congregation and</p> <p>22 denomination that was open and affirming to all</p> <p>23 people, which means they are accepting of all people</p> <p>24 regardless of orientation and so on. And because of</p> <p>25 their size.</p>	<p>Page 63</p> <p>1 S. WISELWEY</p> <p>2 Q. Do you have any concept of how many people</p> <p>3 were at that mass prayer meeting on August 11, 2017?</p> <p>4 A. Yes.</p> <p>5 Q. How many people was that, sir?</p> <p>6 A. We stretched the max capacity of the</p> <p>7 church. So I can safely say there were around 700</p> <p>8 people in the building, in the main sanctuary and</p> <p>9 overflow areas.</p> <p>10 Q. And during the prayer meeting, was</p> <p>11 counterprotesting Unite the Right on August 12</p> <p>12 discussed?</p> <p>13 A. No.</p> <p>14 Q. During that prayer meeting, there was no</p> <p>15 mention of counterprotesting Unite the Right the</p> <p>16 following day?</p> <p>17 A. No. There was no discussion of -- oh, go</p> <p>18 ahead. Sorry.</p> <p>19 MS. PHILLIPS: Object to form.</p> <p>20 Go ahead, Seth.</p> <p>21 A. No. The content of that service was more</p> <p>22 of a worship service for the entire community.</p> <p>23 That's what it was.</p> <p>24 BY MR. CAMPBELL:</p> <p>25 Q. Okay. But it was planned in response to</p>
<p>Page 64</p> <p>1 S. WISELWEY</p> <p>2 the Unite the Right rally; correct?</p> <p>3 A. Yes. We were using the occasion of the</p> <p>4 Unite the Right rally to hold a worship service.</p> <p>5 Q. Okay. Were you -- did anyone from City of</p> <p>6 Charlottesville or Charlottesville Police Department</p> <p>7 discourage you from organizing counterprotesters to</p> <p>8 attend Unite the Right?</p> <p>9 A. Yes.</p> <p>10 Q. And I'm not trying to hide the ball or</p> <p>11 anything, so I'm just going to read a paragraph from</p> <p>12 the Heaphy Report, and then I'm going to ask you if</p> <p>13 the general idea of that paragraph is accurate.</p> <p>14 Okay?</p> <p>15 So this isn't a question. I'm just going</p> <p>16 to read one paragraph that -- and if anyone is, you</p> <p>17 know -- cares to look or read along, it is Page 47</p> <p>18 of the Heaphy Report.</p> <p>19 (Overlapping speakers.)</p> <p>20 MS. PHILLIPS: Sorry, Dave, I was going to</p> <p>21 ask you, do you have the document that you could</p> <p>22 show Seth, so that he can read along? Are you able</p> <p>23 to share the document with your screen?</p> <p>24 MR. CAMPBELL: I'm not. I'm just on the</p> <p>25 phone.</p>	<p>Page 65</p> <p>1 S. WISELWEY</p> <p>2 MS. PHILLIPS: Okay.</p> <p>3 MR. CAMPBELL: But I will read it slowly.</p> <p>4 MS. PHILLIPS: Okay.</p> <p>5 BY MR. CAMPBELL:</p> <p>6 Q. All right. Again, if anyone else wants to</p> <p>7 read it, it is just above Subsection (2) on Page 47.</p> <p>8 It says: "The City's attempts to discourage" -- I'm</p> <p>9 sorry. I may be -- yeah, this is the Klan rally.</p> <p>10 A. I have the Heaphy Report pulled up on my</p> <p>11 computer, if that helps. I can --</p> <p>12 Q. Sure.</p> <p>13 A. Okay.</p> <p>14 Q. So this is going to be jumping around,</p> <p>15 then. So Page 47, just above Section 2, with the</p> <p>16 paragraph beginning with: "The City's attempts to</p> <p>17 discourage counterprotests at the Klan rally</p> <p>18 alienated some members of this community." And it</p> <p>19 says: "Reverend Seth Wispelwey recalled that City</p> <p>20 Manager Jones' and Chief Thomas' requests that</p> <p>21 members of the clergy help 'tell the story' of the</p> <p>22 day by discouraging attendance and promoting</p> <p>23 alternative programs was not universally accepted."</p> <p>24 Do you see -- are you in that general</p> <p>25 paragraph, sir?</p>

<p>Page 66</p> <p>1 S. WISELWEY</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And then: "Wispelwey told us the</p> <p>4 request 'rubbed people wrong,' as alienating and</p> <p>5 patronizing, because some people felt strongly that</p> <p>6 they should confront the Klan and their hateful</p> <p>7 speech."</p> <p>8 So, again, I am in the wrong section, but</p> <p>9 does that paragraph accurately depict your reaction</p> <p>10 or describe your reaction to City Manager Jones and</p> <p>11 Chief Thomas requesting clergy to discourage</p> <p>12 attendance and counterprotesting at the Klan rally?</p> <p>13 MS. PHILLIPS: Okay. Yeah. Just so the</p> <p>14 record is clear, you had previously asked him with</p> <p>15 regard to Unite the Right. Now, you are asking him</p> <p>16 whether that paragraph in the Heaphy Report is</p> <p>17 correct as to the Klan rally; correct?</p> <p>18 MR. CAMPBELL: Yeah, I don't think I asked</p> <p>19 him anything about Unite the Right. But I did</p> <p>20 preface my reading with an indication that I</p> <p>21 believed that it had to do with the Unite the Right</p> <p>22 rally. But I don't think I asked him anything.</p> <p>23 But, yes, I am definitely asking him now about the</p> <p>24 Klan rally.</p> <p>25 MS. PHILLIPS: Okay. For the record, you</p>	<p>Page 67</p> <p>1 S. WISELWEY</p> <p>2 definitely asked him about something with regards to</p> <p>3 the Unite the Right rally. But, nonetheless, I now</p> <p>4 understand your request is with regard to the Klan</p> <p>5 rally.</p> <p>6 So, Seth, go ahead, and you may answer the</p> <p>7 question.</p> <p>8 MR. CAMPBELL: And no speaking objections,</p> <p>9 if that's an objection, please.</p> <p>10 A. And can you please repeat the question?</p> <p>11 BY MR. CAMPBELL:</p> <p>12 Q. Certainly.</p> <p>13 The paragraph on Page 47 of the Heaphy</p> <p>14 Report, does that accurately describe your response</p> <p>15 or your feelings in response to requests by City</p> <p>16 Manager Jones and Chief Thomas requesting clergy to</p> <p>17 discourage counterprotests at the Klan rally?</p> <p>18 A. As stated, as documented in that</p> <p>19 paragraph, I think that accurately describes what I</p> <p>20 was communicating, which was that that this was a</p> <p>21 feeling that different community members had, yes.</p> <p>22 Q. Okay. And was any of the -- do you recall</p> <p>23 any of the discouragement by City Manager Jones and</p> <p>24 Chief Thomas in discouraging counterprotest out of a</p> <p>25 concern for safety?</p>
<p>Page 68</p> <p>1 S. WISELWEY</p> <p>2 A. I don't recall.</p> <p>3 MS. PHILLIPS: Object to form.</p> <p>4 Go ahead.</p> <p>5 A. I don't recall.</p> <p>6 BY MR. CAMPBELL:</p> <p>7 Q. Yes, sir.</p> <p>8 Were there any similar communications in</p> <p>9 advance of the Unite the Right rally?</p> <p>10 MS. PHILLIPS: Object to form.</p> <p>11 A. I'm not sure what is meant by "similar</p> <p>12 communications."</p> <p>13 BY MR. CAMPBELL:</p> <p>14 Q. Did anyone from the City of</p> <p>15 Charlottesville or the Charlottesville Police</p> <p>16 Department reach out to leaders of faith and attempt</p> <p>17 to discourage counterprotesting at the Unite the</p> <p>18 Right rally?</p> <p>19 A. I don't recall in between July 8 and</p> <p>20 August 12 city officials explicitly discouraging,</p> <p>21 but they did meet with leaders of faith.</p> <p>22 Q. Okay. And were you present at the</p> <p>23 meetings with leaders of faith that you've just</p> <p>24 described?</p> <p>25 A. Yes.</p>	<p>Page 69</p> <p>1 S. WISELWEY</p> <p>2 Q. And what was the nature of discussion</p> <p>3 between city representatives and leaders of faith?</p> <p>4 A. As I recall, Chief Thomas and at least a</p> <p>5 couple deputies came to a July meeting of the</p> <p>6 Charlottesville Clergy Collective to answer</p> <p>7 questions that faith leaders might have about what</p> <p>8 was going on and to impress the seriousness of the</p> <p>9 Unite the Right and their hopes that violence would</p> <p>10 be avoided.</p> <p>11 Q. What do you mean by "impress the</p> <p>12 seriousness of Unite the Right"?</p> <p>13 A. As I recall, from Chief Thomas's</p> <p>14 statements at that meeting, he wanted faith leaders</p> <p>15 to understand that the organizers of Unite the Right</p> <p>16 were potentially very violent individuals, and that</p> <p>17 the area around downtown on that weekend was going</p> <p>18 to be unsafe.</p> <p>19 Q. So the Chief came to a meeting to warn you</p> <p>20 and your group that the area around downtown</p> <p>21 Charlottesville was going to be unsafe on August 12?</p> <p>22 MS. PHILLIPS: Object to form.</p> <p>23 A. That's my recollection, yes.</p> <p>24 BY MR. CAMPBELL:</p> <p>25 Q. Okay. All right.</p>

<p>Page 70</p> <p>1 S. WISELWEY</p> <p>2 Despite that meeting, the Clergy</p> <p>3 Collective decided to counterprotest downtown</p> <p>4 August 12; correct?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. No. The Clergy Collective did not.</p> <p>7 BY MR. CAMPBELL:</p> <p>8 Q. The Clergy Collective did not</p> <p>9 counterprotest on August 12?</p> <p>10 A. No.</p> <p>11 Q. Okay. All right. If you could scroll</p> <p>12 down to Page 122 of the Heaphy Report. And this may</p> <p>13 be semantics.</p> <p>14 Are you aware of members of the Clergy</p> <p>15 Collective counterprotesting on August 12?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. So what is the distinction -- do</p> <p>18 you mean like leadership of the Clergy Collective</p> <p>19 didn't counterprotest but members did?</p> <p>20 MS. PHILLIPS: Objection.</p> <p>21 (Overlapping speakers.)</p> <p>22 A. I'm sorry. Go ahead.</p> <p>23 As an organization, the Charlottesville</p> <p>24 Clergy Collective did not lead or plan or organize a</p> <p>25 counterprotest. Congregate, as an entity did, and</p>	<p>Page 71</p> <p>1 S. WISELWEY</p> <p>2 there were members of the Charlottesville Clergy</p> <p>3 Collective, including myself, who were leaders</p> <p>4 within Congregate.</p> <p>5 BY MR. CAMPBELL:</p> <p>6 Q. Okay. So you're also a leader of</p> <p>7 Congregate Charlotte; correct, sir?</p> <p>8 A. Yes. I'm a cocreator of Congregate.</p> <p>9 Q. Okay. And I think you just described the</p> <p>10 Congregate Charlottesville as an organizer of the</p> <p>11 counterprotest?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. All right. So then maybe it's a</p> <p>14 better question-- maybe it's better if I phrase the</p> <p>15 question more directly.</p> <p>16 So, despite you being present and being</p> <p>17 warned by the chief and the officers that downtown</p> <p>18 Charlottesville on August 12 was going to be</p> <p>19 dangerous, you decided Congregate Charlottesville</p> <p>20 would still lead a counterprotest.</p> <p>21 Is that accurate, sir?</p> <p>22 MS. PHILLIPS: Object to form.</p> <p>23 A. Yes.</p> <p>24 BY MR. CAMPBELL:</p> <p>25 Q. You had been explicitly warned by police</p>
<p>Page 72</p> <p>1 S. WISELWEY</p> <p>2 that there could be danger in downtown</p> <p>3 Charlottesville on August 12?</p> <p>4 MS. PHILLIPS: Sorry. Object to form.</p> <p>5 Go ahead.</p> <p>6 A. Yes.</p> <p>7 BY MR. CAMPBELL:</p> <p>8 Q. And you had -- were you present at the</p> <p>9 July meeting? I think you describe where community</p> <p>10 members presented chats and Facebook evidence to the</p> <p>11 city to let the city know that they perceived it</p> <p>12 would be very violent on August 12?</p> <p>13 MS. PHILLIPS: Object to form.</p> <p>14 A. I don't believe I was in that particular</p> <p>15 city council meeting.</p> <p>16 BY MR. CAMPBELL:</p> <p>17 Q. You just kind of heard about it?</p> <p>18 A. I read the report that they submitted</p> <p>19 online within a day or two.</p> <p>20 Q. Okay. All right. Tell me -- so kind of</p> <p>21 moving on to August 12 -- well, where did you stay</p> <p>22 the evening of August 11?</p> <p>23 MS. PHILLIPS: Dave, let me just interrupt</p> <p>24 real fast. We've been going for a little over an</p> <p>25 hour. May I just ask Seth if he's good to continue</p>	<p>Page 73</p> <p>1 S. WISELWEY</p> <p>2 or if he would like a break?</p> <p>3 MR. CAMPBELL: Yeah. Of course. Of</p> <p>4 course. Absolutely. My apologies.</p> <p>5 MS. PHILLIPS: Thank you. I'll leave it</p> <p>6 up to Seth. If he wants to keep going, that's</p> <p>7 great. If he wants a break, that's fine, too.</p> <p>8 THE DEPONENT: Thank you. After this</p> <p>9 question, I would love a bathroom break. It can be</p> <p>10 brief, or if people need a longer one, that's fine</p> <p>11 too.</p> <p>12 MR. CAMPBELL: You know what, it's</p> <p>13 probably better just to do it before. Because, I</p> <p>14 mean, it's kind of, you know, going to be a sequence</p> <p>15 of follow-up questions. So this is a -- thank you</p> <p>16 for interjecting, and this a great time.</p> <p>17 If everyone -- five minutes? Ten minutes?</p> <p>18 Whatever you guys want to do is totally fine with</p> <p>19 me.</p> <p>20 MS. PHILLIPS: What do you think, Seth?</p> <p>21 THE DEPONENT: We'll take a 10-minute</p> <p>22 break, if that's all right?</p> <p>23 MS. PHILLIPS: That's perfect.</p> <p>24 THE DEPONENT: All right. Thanks.</p> <p>25 MR. CAMPBELL: Great. Thank you very</p>

<p>Page 74</p> <p>1 S. WISELWEY</p> <p>2 much. We'll go off the record.</p> <p>3 (Brief recess.)</p> <p>4 BY MR. CAMPBELL:</p> <p>5 Q. Reverend Wispelwey, right before we broke,</p> <p>6 I was just discussing with you kind of transitioning</p> <p>7 to the morning of August 12, 2017.</p> <p>8 I think my last question was: "Where did</p> <p>9 you stay the night of August 11?"</p> <p>10 A. I stayed in my home the night of</p> <p>11 August 11.</p> <p>12 Q. Okay. Where did you go when you left your</p> <p>13 home on the morning of August 12?</p> <p>14 A. The first place I went on the morning of</p> <p>15 August 12 was I parked and went to First Baptist</p> <p>16 Church on West Main Street in Charlottesville.</p> <p>17 Q. What time was that, sir, approximately?</p> <p>18 A. Shortly before 6:00 a.m.</p> <p>19 Q. Okay. Was that for the sunrise meeting?</p> <p>20 MS. PHILLIPS: Object to form.</p> <p>21 A. Yes. Congregate had organized a sunrise</p> <p>22 worship service.</p> <p>23 BY MR. CAMPBELL:</p> <p>24 Q. And was counterprotesting at the rally</p> <p>25 discussed or mentioned at that sunrise meeting or</p>	<p>Page 75</p> <p>1 S. WISELWEY</p> <p>2 service?</p> <p>3 A. Yes.</p> <p>4 Q. Was it understood that attendees of the</p> <p>5 sunrise service would all be going to</p> <p>6 counterprotest?</p> <p>7 A. No.</p> <p>8 Q. Okay. How many people approximately</p> <p>9 attended the sunrise service?</p> <p>10 A. I would say between 200 and 300.</p> <p>11 Q. And were those -- was the crowd -- if you</p> <p>12 know, was the crowd of multiple denominations, or</p> <p>13 were they predominantly members of First Baptist</p> <p>14 Church?</p> <p>15 A. The attendees of the sunrise service were</p> <p>16 overwhelmingly people of faith from a variety of</p> <p>17 different traditions and locations.</p> <p>18 Q. Okay. And where did you go when you left</p> <p>19 the sunrise service?</p> <p>20 A. When I left the sunrise service, I walked</p> <p>21 with a group of people of faith down West Main</p> <p>22 Street towards the downtown mall to Emancipation</p> <p>23 Park.</p> <p>24 Q. Was the purpose of your walking in that</p> <p>25 direction to counterprotest Unite the Right?</p>
<p>Page 76</p> <p>1 S. WISELWEY</p> <p>2 A. Yes.</p> <p>3 Q. And do you know approximately how many</p> <p>4 people were in the group of people of faith with</p> <p>5 you?</p> <p>6 A. In the group I was with, there were no</p> <p>7 more than 50 people.</p> <p>8 Q. If you know, did other groups leave the</p> <p>9 sunrise service to other locations in downtown</p> <p>10 Charlottesville?</p> <p>11 A. Yes.</p> <p>12 Q. Was that pursuant to a plan arrived at</p> <p>13 during or prior to the sunrise service?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And what was the plan?</p> <p>16 A. If the question is about the other group,</p> <p>17 the plan was for people who felt called to join that</p> <p>18 group to have a march to, if I recall, the Jefferson</p> <p>19 School near the downtown mall and then to march to</p> <p>20 McGuffey Park.</p> <p>21 Q. What was the plan for your group?</p> <p>22 A. The group I was with planned to be much</p> <p>23 nearer to the planned Unite the Right rally to sing</p> <p>24 and pray and bear bodily witness to what was</p> <p>25 planned.</p>	<p>Page 77</p> <p>1 S. WISELWEY</p> <p>2 Q. And who was the leader of your group, if</p> <p>3 there was a leader?</p> <p>4 A. There were a few different leaders. I was</p> <p>5 one of them as were Reverend Brittany Caine-Conley</p> <p>6 and Reverend Osagyefo Sekou.</p> <p>7 Q. Could you spell the last Reverend's name,</p> <p>8 please?</p> <p>9 A. O-s-a-g-y-e-f-o. Last name Sekou,</p> <p>10 S-e-k-o-u.</p> <p>11 Q. Thank you, sir.</p> <p>12 Okay. And as you're walking from the</p> <p>13 sunrise service toward Emancipation Park, did you</p> <p>14 observe any groups that you perceived to be rally</p> <p>15 attendees?</p> <p>16 A. Yes.</p> <p>17 Q. What time approximately did your group</p> <p>18 depart First Baptist Church to head towards</p> <p>19 Emancipation Park?</p> <p>20 A. I believe we left First Baptist Church by</p> <p>21 around 7:45 a.m. that morning.</p> <p>22 Q. And then can you give me some idea of how</p> <p>23 long of a walk it was or would be from First Baptist</p> <p>24 Church to Emancipation Park?</p> <p>25 MS. PHILLIPS: Object to form.</p>

<p>Page 78</p> <p>1 S. WISELWEY</p> <p>2 A. I'm not entirely sure. I would say it's</p> <p>3 about one mile.</p> <p>4 BY MR. CAMPBELL:</p> <p>5 Q. Okay. I suppose it very much varies</p> <p>6 depending on how quickly you walk.</p> <p>7 But about one mile in distance from First</p> <p>8 Baptist Church to Emancipation Park?</p> <p>9 A. Yes.</p> <p>10 Q. And did you have any physical or verbal</p> <p>11 encounters with any groups you perceived to be rally</p> <p>12 attendees during your walk from sunrise service to</p> <p>13 Emancipation Park?</p> <p>14 A. I don't know if they were rally attendees.</p> <p>15 There was someone who yelled and heckled at us from</p> <p>16 a vehicle during our walk.</p> <p>17 Q. Okay. Any physical confrontations with</p> <p>18 any groups of people you perceived to be rally</p> <p>19 attendees?</p> <p>20 A. Not on the walk from the church to the</p> <p>21 park, no.</p> <p>22 Q. And when you arrived at the park, can you</p> <p>23 give me some frame of reference by street or</p> <p>24 direction of where your group gathered when you</p> <p>25 arrived at the area around Emancipation Park?</p>	<p>Page 79</p> <p>1 S. WISELWEY</p> <p>2 MS. PHILLIPS: Object to form.</p> <p>3 Go ahead, Seth, if you know.</p> <p>4 A. Sure.</p> <p>5 We gathered and stopped walking on Market</p> <p>6 Street facing the park facing north.</p> <p>7 BY MR. CAMPBELL:</p> <p>8 Q. Was there a particular reason that your</p> <p>9 group planned to go to Market Street facing north</p> <p>10 towards the park?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. Practically, that section of Market Street</p> <p>13 was the only accessible place to gather as the other</p> <p>14 three sides of the park on the streets had been</p> <p>15 blocked off.</p> <p>16 BY MR. CAMPBELL:</p> <p>17 Q. Prior to August 12, had any information</p> <p>18 been communicated to you or anyone in Congregate</p> <p>19 Charlottesville that you were aware of regarding the</p> <p>20 manner by which rally attendees would access</p> <p>21 Emancipation Park?</p> <p>22 MS. PHILLIPS: Object to form.</p> <p>23 A. Yes.</p> <p>24 BY MR. CAMPBELL:</p> <p>25 Q. What were you told about how Unite the</p>
<p>Page 80</p> <p>1 S. WISELWEY</p> <p>2 Right rally attendees would gain access to</p> <p>3 Emancipation Park?</p> <p>4 A. As I recall, I heard many different</p> <p>5 accounts of how rally attendees would enter the</p> <p>6 park, some of it changing consistently in the days</p> <p>7 leading up, on even being contradictory.</p> <p>8 My understanding in the immediate days</p> <p>9 leading up is that rally attendees might be led in</p> <p>10 on the northeast corner on East Jefferson Street.</p> <p>11 Q. That would not be in the area where your</p> <p>12 group was located; is that correct?</p> <p>13 A. That's correct.</p> <p>14 Q. Okay. Was your intent in gathering where</p> <p>15 you gathered in any part to block access to</p> <p>16 Emancipation Park by any attendees?</p> <p>17 MS. PHILLIPS: Object to form.</p> <p>18 Go ahead.</p> <p>19 A. No.</p> <p>20 BY MR. CAMPBELL:</p> <p>21 Q. When your group arrived at Emancipation</p> <p>22 Park, were there any -- did you see any groups of</p> <p>23 rally attendees inside the park?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. All right. Did there come a point</p>	<p>Page 81</p> <p>1 S. WISELWEY</p> <p>2 where you and members of your group joined hands in</p> <p>3 an attempt to prevent access to the park by any</p> <p>4 rally attendees?</p> <p>5 MS. PHILLIPS: Object to form. Asked and</p> <p>6 answered.</p> <p>7 A. No.</p> <p>8 BY MR. CAMPBELL:</p> <p>9 Q. Okay. Did you ever join hands with</p> <p>10 members of your group and form a line across Market</p> <p>11 Street?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. What was the purpose of forming the</p> <p>14 line across Market Street?</p> <p>15 A. When we were standing on Market Street,</p> <p>16 our intent and plan was to form a loving presence</p> <p>17 and witness from people of faith to sing and pray</p> <p>18 and to peripherally mitigate the potential for</p> <p>19 violence through doing so.</p> <p>20 Q. Okay. And at some point as you joined</p> <p>21 arms with others from your group across Market</p> <p>22 Street, did you see a group of rally attendees</p> <p>23 approaching?</p> <p>24 A. Yes.</p> <p>25 Q. Did you continue to remain in your</p>

<p>Page 82</p> <p>1 S. WISELWEY</p> <p>2 position in locked arms with members of your group</p> <p>3 across Market Street as the rally attendees got very</p> <p>4 near to you?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. Yes.</p> <p>7 BY MR. CAMPBELL:</p> <p>8 Q. Did there come a time where any rally</p> <p>9 attendees made physical contact with you or any</p> <p>10 member of your group?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Tell me what happened then.</p> <p>13 A. There was a point where some of us</p> <p>14 gathered on the steps that would lead in -- the</p> <p>15 steps at the southeast corner of the park and Market</p> <p>16 Street and what I believe is Second Street and</p> <p>17 linked arms. Shortly after we did that, a group of</p> <p>18 white supremacists approached and, in pretty quick</p> <p>19 succession, pushed right through us with their</p> <p>20 shields and shoved us bodily out of the way.</p> <p>21 Q. Were you injured during that interaction</p> <p>22 you just described?</p> <p>23 MS. PHILLIPS: Object to form.</p> <p>24 A. No, I was not injured physically.</p> <p>25 BY MR. CAMPBELL:</p>	<p>Page 83</p> <p>1 S. WISELWEY</p> <p>2 Q. Okay. Do you know if any other members of</p> <p>3 your group were physically injured as a result of</p> <p>4 that interaction?</p> <p>5 A. Yes, a couple were.</p> <p>6 Q. Okay. Did you recognize by face and name</p> <p>7 any of the individuals in the group with shields</p> <p>8 approaching to attend the rally?</p> <p>9 MS. PHILLIPS: Object to form.</p> <p>10 A. No.</p> <p>11 BY MR. CAMPBELL:</p> <p>12 Q. Okay. Did you recognize the group those</p> <p>13 individuals were associated with by any signs,</p> <p>14 insignias, flags, or markings?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And was it a sign? Was it a mark</p> <p>17 on the shield? Was it a flag?</p> <p>18 By what method do you believe you could</p> <p>19 identify what group was approaching?</p> <p>20 MS. PHILLIPS: Object to form.</p> <p>21 Go ahead.</p> <p>22 A. As I recall, it was their flags from this</p> <p>23 particular group I recognized.</p> <p>24 BY MR. CAMPBELL:</p> <p>25 Q. And what was the group that you recognized</p>
<p>Page 84</p> <p>1 S. WISELWEY</p> <p>2 as being represented on the flags?</p> <p>3 A. To my recollection, the majority of flag</p> <p>4 wavers in this particular group belonged to Identity</p> <p>5 Evropa.</p> <p>6 Q. Prior to August 12, were you familiar with</p> <p>7 the group Identity Evropa?</p> <p>8 A. Yes.</p> <p>9 Q. How were you aware of the group Identity</p> <p>10 Evropa prior to August 12?</p> <p>11 A. From some basic research online and</p> <p>12 understanding of who planned to attend Unite the</p> <p>13 Right.</p> <p>14 Q. Other than Identity Evropa, what other</p> <p>15 groups did you understand planned to attend Unite</p> <p>16 the Right?</p> <p>17 A. It was my understanding prior to August 12</p> <p>18 that groups named League of the South, The National</p> <p>19 Socialist Movement, and others that I didn't have a</p> <p>20 broad familiarity with prior planned to attend.</p> <p>21 Q. Okay. All right. So after the group</p> <p>22 pushed through with shields, where did the group go?</p> <p>23 MS. PHILLIPS: Object to form.</p> <p>24 A. I'm not entirely sure. I was focused on</p> <p>25 regrouping with my fellow clergy and making sure</p>	<p>Page 85</p> <p>1 S. WISELWEY</p> <p>2 everyone was all right.</p> <p>3 BY MR. CAMPBELL:</p> <p>4 Q. Okay. Was there anywhere else for them to</p> <p>5 go beyond where you were on the steps other than</p> <p>6 into the park?</p> <p>7 MS. PHILLIPS: Object to form.</p> <p>8 A. Yes. It had been our observation that the</p> <p>9 only access point for them to go was on the</p> <p>10 southwest corner of the park. We were on the</p> <p>11 southeast.</p> <p>12 BY MR. CAMPBELL:</p> <p>13 Q. Gotcha.</p> <p>14 So the stairs you were standing on, the</p> <p>15 park entrance behind you was closed; is that</p> <p>16 correct?</p> <p>17 A. Yes.</p> <p>18 Q. During that encounter, did you observe any</p> <p>19 rally attendee to be carrying a weapon?</p> <p>20 A. Yes.</p> <p>21 Q. What weapon or weapons did you observe?</p> <p>22 A. I considered -- I observed the poles and</p> <p>23 the shields they carried as weapons.</p> <p>24 Q. Okay. Any other weapon or weapons you</p> <p>25 observed?</p>

<p style="text-align: right;">Page 86</p> <p>1 S. WISELWEY</p> <p>2 A. Not in that particular moment with that</p> <p>3 group, no.</p> <p>4 Q. Okay. Where did you go next, if anywhere?</p> <p>5 A. Our group regrouped, and we remained on</p> <p>6 those stairs directly following.</p> <p>7 Q. Did your group remain on the stairs up</p> <p>8 until the point unlawful assembly was declared?</p> <p>9 A. No.</p> <p>10 Q. Okay. So whenever your group left that</p> <p>11 position -- I think you said the southeast corner;</p> <p>12 is that right?</p> <p>13 A. Yes.</p> <p>14 Q. So where did your group go when it left</p> <p>15 the stairs on the southeast corner of Emancipation</p> <p>16 Park?</p> <p>17 A. When we first left those stairs, we -- I'm</p> <p>18 not sure where the entire group went. I went to the</p> <p>19 Market Street and then regrouped with some of our</p> <p>20 group to go back to a restaurant on the other side</p> <p>21 of the downtown mall for a brief period.</p> <p>22 Q. During your time on the stairs or on your</p> <p>23 way to the restaurant, did you observe any physical</p> <p>24 violence between rally attendees and</p> <p>25 counterprotesters?</p>	<p style="text-align: right;">Page 87</p> <p>1 S. WISELWEY</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Can you tell me about the physical</p> <p>4 violence you observed?</p> <p>5 A. Yes. After Identity Evropa assaulted our</p> <p>6 group, we regrouped on the stairs, and I observed a</p> <p>7 large group of white supremacists coming down Market</p> <p>8 Street towards the park. They gathered at that</p> <p>9 intersection -- or paused at that intersection for a</p> <p>10 brief spell before charging at and attacking a</p> <p>11 different group of counterprotesters on Market</p> <p>12 Street to our right.</p> <p>13 Q. How would you identify the other group of</p> <p>14 counterprotesters you're describing?</p> <p>15 MS. PHILLIPS: Object to form.</p> <p>16 A. I'm not sure how to identify them or who</p> <p>17 they all were.</p> <p>18 BY MR. CAMPBELL:</p> <p>19 Q. Okay. It's not as if it was -- it wasn't</p> <p>20 your other group; is that correct?</p> <p>21 A. Correct. This was not a line of clergy.</p> <p>22 Q. Okay. And there was nothing identifiable</p> <p>23 about that group of counterprotesters involved in</p> <p>24 the subsequent incident you just described?</p> <p>25 A. Nothing identifiable in the same way as</p>
<p style="text-align: right;">Page 88</p> <p>1 S. WISELWEY</p> <p>2 the white supremacist group and flags that were</p> <p>3 coming up Market Street. It seemed to be a random</p> <p>4 assortment of different people.</p> <p>5 Q. Okay. The group of counterprotesters to</p> <p>6 your right, were they carrying any flags?</p> <p>7 A. I don't recall seeing flags, no.</p> <p>8 Q. And did you observe physical violence like</p> <p>9 punches and hitting and that sort of thing between</p> <p>10 the two groups?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. Yes. As stated, I saw the white</p> <p>13 supremacists from League of the South, in</p> <p>14 particular, charge at and attack this group. At</p> <p>15 that point, someone in our group ordered us to pull</p> <p>16 back. So we moved down Market Street away from</p> <p>17 where the violence had occurred.</p> <p>18 BY MR. CAMPBELL:</p> <p>19 Q. From your perspective, did all of the</p> <p>20 violence you observed appear to be one-sided? By</p> <p>21 that I mean, perpetrated by the League of the South?</p> <p>22 MS. PHILLIPS: Object to form.</p> <p>23 A. Yes. We pulled back, and that's what I</p> <p>24 saw.</p> <p>25 BY MR. CAMPBELL:</p>	<p style="text-align: right;">Page 89</p> <p>1 S. WISELWEY</p> <p>2 Q. Okay. You didn't see any</p> <p>3 counterprotesters even defending themselves by</p> <p>4 striking at members of The League of the South?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. It was all a blur. People were trying to</p> <p>7 withstand the attack, and, as I said, we pulled back</p> <p>8 and could not see the direct point of conflict from</p> <p>9 that point onward.</p> <p>10 BY MR. CAMPBELL:</p> <p>11 Q. I understand.</p> <p>12 And then did you immediately head with</p> <p>13 your group towards the restaurant you discussed</p> <p>14 earlier?</p> <p>15 A. Not immediately, no.</p> <p>16 Q. Okay. What was the name of the restaurant</p> <p>17 you eventually headed for?</p> <p>18 A. It was called Escafé.</p> <p>19 Q. All right. And where did you go after you</p> <p>20 departed Escafé?</p> <p>21 A. After our group regrouped and made sure</p> <p>22 people were okay and well-accounted for, we -- some</p> <p>23 of us gathered to check in about what we might be</p> <p>24 able to do or how to be present and walked back out</p> <p>25 toward Market Street -- across the downtown mall</p>

<p style="text-align: right;">Page 90</p> <p>1 S. WISELWEY</p> <p>2 towards Market Street and towards Emancipation Park.</p> <p>3 Q. And was all of this prior to the</p> <p>4 declaration of an unlawful assembly, all the stuff</p> <p>5 we've been discussing?</p> <p>6 A. Yes. The unlawful assembly was called or</p> <p>7 proclaimed as we were leaving Escafé.</p> <p>8 Q. Okay. And how far is the Emancipation</p> <p>9 Park located from the where the car attack occurred?</p> <p>10 MS. PHILLIPS: Object to form.</p> <p>11 A. Emancipation Park is 2.5 blocks from --</p> <p>12 2.5 or 3 blocks from where the car attack occurred.</p> <p>13 BY MR. CAMPBELL:</p> <p>14 Q. Okay. And that's down Market Street;</p> <p>15 right?</p> <p>16 A. Yes. The car attack occurred at</p> <p>17 4th Street Northeast across the downtown mall.</p> <p>18 Q. All right. During the entire time you</p> <p>19 were downtown on August 12, did you ever observe any</p> <p>20 violence perpetrated by individuals you perceived to</p> <p>21 be counterprotesters?</p> <p>22 A. No, I did not.</p> <p>23 Q. Okay. Did you ever observe people you</p> <p>24 perceived to be counterprotesters throwing objects</p> <p>25 towards the rally attendees?</p>	<p style="text-align: right;">Page 91</p> <p>1 S. WISELWEY</p> <p>2 A. No, I did not. I saw objects in the air.</p> <p>3 I'm not sure where they were coming from.</p> <p>4 Q. But you didn't see any headed towards</p> <p>5 Emancipation Park?</p> <p>6 A. No.</p> <p>7 MS. PHILLIPS: Object to form.</p> <p>8 A. No. When I was directly by Emancipation</p> <p>9 Park, our line was on the front line.</p> <p>10 BY MR. CAMPBELL:</p> <p>11 Q. All right. So I think you had testified</p> <p>12 earlier that when the car attack occurred, you were</p> <p>13 about a block and a half away.</p> <p>14 Is my memory correct, sir?</p> <p>15 A. Yes. I was near Escafé, so a couple</p> <p>16 blocks is about accurate.</p> <p>17 Q. Okay. And did you hear the incident? Or</p> <p>18 did you hear commotion? What led you to go in that</p> <p>19 direction?</p> <p>20 A. I went in that direction when a woman who</p> <p>21 was very upset ran up towards Escafé and told us</p> <p>22 that a car had just hit a bunch of people and that</p> <p>23 it was really bad and that they needed help.</p> <p>24 Q. Did you immediately go to the area that</p> <p>25 the woman described?</p>
<p style="text-align: right;">Page 92</p> <p>1 S. WISELWEY</p> <p>2 A. Yes. I stuck my head in the restaurant to</p> <p>3 let the fellow faith leaders know, looked down the</p> <p>4 street and saw that a serious scene was there, and</p> <p>5 sprinted down there with a couple other clergy.</p> <p>6 Q. Okay. And tell me what you saw when you</p> <p>7 arrived at the scene.</p> <p>8 If you need to take a break at any time,</p> <p>9 it's -- I understand this is probably very difficult</p> <p>10 for you, and I'm completely understanding if at any</p> <p>11 point you need a break, sir.</p> <p>12 A. I appreciate it.</p> <p>13 The first thing I remember seeing at the</p> <p>14 corner of Fourth and Water was a young black woman,</p> <p>15 glass, blood, writhing on the ground and crying out.</p> <p>16 I saw two cars directly in front of me.</p> <p>17 One was a van.</p> <p>18 And I then turned onto Fourth Street there</p> <p>19 at the entrance, and there were a lot of bodies on</p> <p>20 the ground and medics attending to them, including,</p> <p>21 like, doing CPR. Myself and Reverend Seku asked one</p> <p>22 of them "what can we do to help," and they asked for</p> <p>23 help clearing out able-bodied people all around so</p> <p>24 they could do their job. So I turned around and</p> <p>25 helped shepherd people to the sidewalks out of the</p>	<p style="text-align: right;">Page 93</p> <p>1 S. WISELWEY</p> <p>2 street and around and away from the bodies on the</p> <p>3 ground.</p> <p>4 At that point, the young man with the</p> <p>5 young woman called out, apparently thinking I'm</p> <p>6 Catholic, and said, "Father, this woman needs help"</p> <p>7 and pushed this woman into my arms who was having a</p> <p>8 total breakdown and was hurt. I held her for a</p> <p>9 while right there behind the van, brought her to a</p> <p>10 fellow clergy member, at which point I helped</p> <p>11 administer care and aid to other people who were</p> <p>12 hurt, though not as grievously injured, including</p> <p>13 people who were in shock and/or terrified because</p> <p>14 they couldn't find their loved ones who had been</p> <p>15 more grievously injured by the car. And so I saw</p> <p>16 everything. I was moving around in that scene for a</p> <p>17 couple hours.</p> <p>18 Eventually, our group of Congregate came</p> <p>19 together and helped put together rides for relatives</p> <p>20 of people who had gone to the hospital, and they</p> <p>21 couldn't find them and helped create a protective</p> <p>22 barrier around those who needed most urgent need as</p> <p>23 additional personnel showed up to the scene, like</p> <p>24 fire engines and EMTs and that sort of thing.</p> <p>25 Q. You had indicated that a woman or</p>

<p>Page 94</p> <p>1 S. WISELWEY</p> <p>2 someone called out -- a man called out: "Father,</p> <p>3 this woman needs help." Were you wearing, like,</p> <p>4 your clerical clothing?</p> <p>5 I apologize if I don't know the correct</p> <p>6 word.</p> <p>7 A. That's accurate. That entire day I was in</p> <p>8 a full body-length, white clerical robe with a</p> <p>9 red -- what is called a stole, but looks like a</p> <p>10 scarf, draped around my neck. So I was identifiable</p> <p>11 as a clergy person.</p> <p>12 Q. Okay. Were the other clergy people in</p> <p>13 your group also similarly dressed in attire that</p> <p>14 would let anyone easily identify them as members of</p> <p>15 the clergy?</p> <p>16 A. Yes. Not everyone in our group was</p> <p>17 clergy. Actually, only a handful were. That</p> <p>18 handful were in robes, but everyone was wearing a</p> <p>19 stole, and most of them had the same color of stole</p> <p>20 to be identifiable.</p> <p>21 Q. Understood. All right.</p> <p>22 Reverend, would you agree with me that all</p> <p>23 the events you witnessed on August 12, 2017, were</p> <p>24 disturbing?</p> <p>25 MS. PHILLIPS: Object to form.</p>	<p>Page 95</p> <p>1 S. WISELWEY</p> <p>2 BY MR. CAMPBELL:</p> <p>3 Q. Well, not the sunrise service.</p> <p>4 All of the events associated with the</p> <p>5 Unite the Right rally, would you agree all those</p> <p>6 events were disturbing?</p> <p>7 MS. PHILLIPS: Object to form.</p> <p>8 A. Yes. From the moment we came up towards</p> <p>9 the Haven on Market Street at around 8:00 a.m.</p> <p>10 through the rest of that evening was deeply</p> <p>11 disturbing, yes.</p> <p>12 BY MR. CAMPBELL:</p> <p>13 Q. Okay. And how about -- did you observe</p> <p>14 the torch march on August 11, 2017? Was that also</p> <p>15 disturbing to you?</p> <p>16 MS. PHILLIPS: Object to form.</p> <p>17 A. Absolutely.</p> <p>18 THE DEPONENT: I'm sorry.</p> <p>19 A. Absolutely, yes.</p> <p>20 BY MR. CAMPBELL:</p> <p>21 Q. And how about the KKK rally you observed a</p> <p>22 month earlier?</p> <p>23 MS. PHILLIPS: Object to form.</p> <p>24 A. The KKK rally was a unique kind of</p> <p>25 non-rally. That group was small. I found the</p>
<p>Page 96</p> <p>1 S. WISELWEY</p> <p>2 iconography disturbing but not in the same way, no.</p> <p>3 BY MR. CAMPBELL:</p> <p>4 Q. Okay. So we discussed earlier in this</p> <p>5 deposition the diagnosis of anxiety, the panic</p> <p>6 attacks, and PTSD.</p> <p>7 Can you differentiate the contribution or</p> <p>8 effects of the scene of the car attack from all of</p> <p>9 the other things you saw on August 11 and August 12?</p> <p>10 MS. PHILLIPS: Object to form.</p> <p>11 A. I'm not sure what is meant by</p> <p>12 "differentiate."</p> <p>13 BY MR. CAMPBELL:</p> <p>14 Q. Right. So after August 12, you began</p> <p>15 experiencing anxiety, you had a panic attack, you</p> <p>16 had symptoms that have been diagnosed as PTSD;</p> <p>17 correct?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. All right. So do you believe that</p> <p>20 you would have had any kind of anxiety, panic, or</p> <p>21 PTSD-type symptoms as a result of the events of</p> <p>22 August 11 and August 12, even had you not visually</p> <p>23 observed the scene of the car attack?</p> <p>24 MS. PHILLIPS: Object to form.</p> <p>25 A. Yes, though in relation to the night</p>	<p>Page 97</p> <p>1 S. WISELWEY</p> <p>2 terrors I started experiencing where I would wake up</p> <p>3 screaming and yelling and then not be able to sleep,</p> <p>4 and the hypervigilance of checking the locks on my</p> <p>5 daughter-- two in the immediate aftermath stand</p> <p>6 out-- which is a nightmare that my daughter had been</p> <p>7 hit by the car and I couldn't find her and was</p> <p>8 yelling and crying out for her, that I was in that</p> <p>9 nightmare reliving the scene specifically.</p> <p>10 BY MR. CAMPBELL:</p> <p>11 Q. And I thought you said there were two</p> <p>12 things that stood out?</p> <p>13 A. I'm sorry.</p> <p>14 (Overlapping speakers.)</p> <p>15 A. It was a recurring dream.</p> <p>16 Q. I gotcha. Okay.</p> <p>17 But can you differentiate a percentage or</p> <p>18 how much of your symptoms you feel are from the</p> <p>19 scene of the car attack as opposed to the scene of</p> <p>20 the torchlit march or the scene of white</p> <p>21 supremacists pushing through your group with</p> <p>22 shields?</p> <p>23 MS. PHILLIPS: Object to form.</p> <p>24 A. I'm not sure I can quantify it. That</p> <p>25 scene and being immersed in it and unsure what was</p>

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2 going on, with all the pain and terror and blood and

3 death, was uniquely awful.

4 BY MR. CAMPBELL:

5 Q. That was worse than everything else you

6 had seen on August 11 and August 12; is that fair?

7 A. Yes. I would say objectively it was the

8 worst thing I had seen in the course of that

9 weekend.

10 MR. CAMPBELL: All right. Reverend, I

11 don't have any more questions for you at this time.

12 I appreciate your time and hope this wasn't too

13 awfully difficult to you.

14 And I pass the witness at this time.

15 I reserve the right, if I look over my

16 notes or something Mr. Kolenich asks or another

17 attorney prompts another question, but at this time,

18 I pass the witness.

19 Thank you, sir.

20 THE DEPONENT: Okay.

21 MS. PHILLIPS: Seth, before -- since this

22 is a good break time, I just want to check and see

23 if you want another small break or if you're good to

24 push on.

25 THE DEPONENT: I'm good to push on.

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2 several contexts.

3 Q. Do you recall what context those were?

4 A. Yes. I remember more specifically being

5 aware of who Jason Kessler was at Charlottesville

6 City Council meetings where he would speak during

7 public comment.

8 Q. What did Mr. Kessler ordinarily discuss at

9 his public comment?

10 MS. PHILLIPS: Object to form.

11 A. I don't recall specifically. He would

12 discuss many things. I was also aware of who he was

13 as the person before early 2017, before I saw him in

14 person, as the person who was surfacing attention on

15 one of our city council members.

16 BY MR. KOLENICH:

17 Q. Which council member was that?

18 A. Wes Bellamy.

19 Q. Why was he focusing attention on Wes

20 Bellamy?

21 MS. PHILLIPS: Object to form.

22 A. Wes Bellamy was one of the local leaders

23 calling for the removal of different statutes in

24 Charlottesville, and Jason Kessler was surfacing old

25 tweets, as I believe -- as I recall, of

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2 MR. KOLENICH: Actually, Jessica, can I

3 get five minutes?

4 MS. PHILLIPS: That's fine with me. Okay.

5 MR. KOLENICH: Okay. Thanks. Off the

6 record.

7 (Brief recess.)

8 EXAMINATION

9 BY MR. KOLENICH:

10 Q. Good morning, Reverend Wiselwey. My name

11 is Jim Kolenich. I represent several of the

12 defendants you sued in the Unite to Right litigation

13 in Virginia. Specifically, I represent Jason

14 Kessler, Nathan Damigo, Matthew Parrott, the

15 organization Identity Evropa, and the organization

16 Traditionalist Worker Party.

17 Are you familiar with Jason Kessler?

18 A. Yes.

19 MS. PHILLIPS: Object to form.

20 THE DEPONENT: Sorry.

21 BY MR. KOLENICH:

22 Q. How are you familiar with Jason Kessler?

23 A. I've been familiar with Jason Kessler

24 since early 2017 as someone who resided in

25 Charlottesville, Virginia, and appeared publicly in

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2 Mr. Bellamy's.

3 BY MR. KOLENICH:

4 Q. Do you recall the content of the tweets

5 that Mr. Kessler was surfacing?

6 A. Yes, vaguely.

7 Q. Can you describe them for us?

8 A. As I recall, Dr. Bellamy had old tweets

9 that had disrespectful and derogatory language about

10 women.

11 Q. Did it have any disrespectful or

12 derogatory women -- language about anything directed

13 toward anyone but women?

14 A. I don't recall.

15 MS. PHILLIPS: Object to form.

16 THE DEPONENT: Sorry.

17 A. I don't recall.

18 BY MR. KOLENICH:

19 Q. Do you recall if it said anything

20 specifically about white people?

21 MS. PHILLIPS: Object to form.

22 A. No.

23 BY MR. KOLENICH:

24 Q. Do you -- I'm sorry. Withdrawn.

25 Do you know a person named Andy Ngo,

<p>Page 102</p> <p>1 S. WISELWEY</p> <p>2 spelled N-g-o?</p> <p>3 A. I know of a person named Andy Ngo.</p> <p>4 Q. How do you know Andy Ngo?</p> <p>5 A. If we're discussing the same person, I</p> <p>6 know of an Andy Ngo who I believe documents</p> <p>7 different protest contexts.</p> <p>8 Q. To your knowledge, does he have an active</p> <p>9 Twitter account?</p> <p>10 A. Yes, I believe so.</p> <p>11 Q. And did this person, Andy Ngo, cover</p> <p>12 what's called antifa protesting?</p> <p>13 MS. PHILLIPS: Object to form.</p> <p>14 A. My understanding is that this is one of</p> <p>15 the primary focuses of Andy Ngo's documentation,</p> <p>16 yes.</p> <p>17 BY MR. KOLENICH:</p> <p>18 Q. Do you have a Twitter account?</p> <p>19 A. I do.</p> <p>20 Q. What is your Twitter handle?</p> <p>21 A. Revsethdub.</p> <p>22 Q. Why did you choose that Twitter handle?</p> <p>23 A. I chose that because it's my designation.</p> <p>24 I'm a Reverend, and the "dub" is for "W." Wiselwey</p> <p>25 is pretty complicated for folks.</p>	<p>Page 103</p> <p>1 S. WISELWEY</p> <p>2 Q. The "dub" is for "W"?</p> <p>3 A. Yes.</p> <p>4 Q. To your knowledge, does "dub" have any</p> <p>5 other common meanings?</p> <p>6 MS. PHILLIPS: Object to form.</p> <p>7 A. I'm familiar with "dub" in more of a</p> <p>8 dictionary definition as someone can be dubbed</p> <p>9 something, like a nickname.</p> <p>10 BY MR. KOLENICH:</p> <p>11 Q. I'm showing you a Twitter feed.</p> <p>12 Can you see it on the screen?</p> <p>13 A. Yes.</p> <p>14 Q. Do you see the tweet at the top of the</p> <p>15 screen?</p> <p>16 A. Yes.</p> <p>17 Q. Can you read that for us?</p> <p>18 A. What I see says: "Andy Ngo is a threat to</p> <p>19 our community and provides kill lists for...let your</p> <p>20 autofill take over."</p> <p>21 Q. Do you see that this tweet appears to have</p> <p>22 been sent by Goad Gatsby?</p> <p>23 A. Yes.</p> <p>24 MR. KOLENICH: Jessica, I'll be making</p> <p>25 this Exhibit 1. I can't mark it just this second,</p>
<p>Page 104</p> <p>1 S. WISELWEY</p> <p>2 but this will be Exhibit 1.</p> <p>3 (Exhibit 1 was marked.)</p> <p>4 MS. PHILLIPS: Okay.</p> <p>5 BY MR. KOLENICH:</p> <p>6 Q. Did he tweet this to you?</p> <p>7 MS. PHILLIPS: Object to form.</p> <p>8 Jim, can you put that back up so Seth can</p> <p>9 see it again?</p> <p>10 MR. KOLENICH: Sorry. What did I do?</p> <p>11 Here it comes. Is it back?</p> <p>12 MS. PHILLIPS: It is.</p> <p>13 A. Yes.</p> <p>14 This does not look like a direct tweet. I</p> <p>15 don't have a recollection of it being sent to me.</p> <p>16 BY MR. KOLENICH:</p> <p>17 Q. Okay. No more questions about this page.</p> <p>18 All right. Showing you what will be</p> <p>19 Exhibit 2. Do you see the tweet at the top of the</p> <p>20 screen?</p> <p>21 (Exhibit 2 was marked.)</p> <p>22 A. Yes.</p> <p>23 BY MR. KOLENICH:</p> <p>24 Q. Does that appear to be your Twitter</p> <p>25 account?</p>	<p>Page 105</p> <p>1 S. WISELWEY</p> <p>2 A. It appears to be, yes.</p> <p>3 Q. Does it appear that you are replying to</p> <p>4 Goad Gatsby?</p> <p>5 A. Yes.</p> <p>6 Q. Can you read your reply?</p> <p>7 A. "Andy Ngo is a threat to our community and</p> <p>8 provides kill lists for the future."</p> <p>9 Q. What did you mean by "Andy Ngo is a threat</p> <p>10 to our community and provides kill lists for the</p> <p>11 future"?</p> <p>12 A. I'm not sure I meant anything. If this is</p> <p>13 a response to the autofill request, this tweet was</p> <p>14 created using the autofill feature of automatically</p> <p>15 provided words on my phone.</p> <p>16 Q. Are you saying you didn't type that</p> <p>17 response in?</p> <p>18 MS. PHILLIPS: Object to form.</p> <p>19 A. If this is my response, I supplied the</p> <p>20 response, but probably most of it was provided</p> <p>21 through the request to autofill.</p> <p>22 BY MR. KOLENICH:</p> <p>23 Q. I'm not sure I understand.</p> <p>24 You didn't actively type the words "and</p> <p>25 provides kill lists for the future"?</p>

<p>Page 106</p> <p>1 S. WISELWEY</p> <p>2 A. If I submitted this response, I probably</p> <p>3 may have typed the beginning of the sentence, and</p> <p>4 then the rest was provided automatically by my</p> <p>5 iPhone software.</p> <p>6 Q. All right. But you can see the message</p> <p>7 that had been autofilled before you posted it to</p> <p>8 Twitter?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. Do you remember sending this</p> <p>11 response?</p> <p>12 A. I do not.</p> <p>13 Q. Do you have access to your Twitter account</p> <p>14 presently?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. I will pull this exhibit down.</p> <p>17 That was Exhibit 2.</p> <p>18 Are you familiar with the concept of</p> <p>19 "milkshakes" within the context of counterprotests?</p> <p>20 MS. PHILLIPS: Object to form.</p> <p>21 A. I have heard about milkshakes in the</p> <p>22 context of counterprotesting.</p> <p>23 BY MR. KOLENICH:</p> <p>24 Q. What do you understand "milkshakes" to</p> <p>25 mean within the context of counterprotesting?</p>	<p>Page 107</p> <p>1 S. WISELWEY</p> <p>2 A. I'm aware of a couple documented incidents</p> <p>3 where different people had milkshakes poured on</p> <p>4 them, I believe.</p> <p>5 Q. So by "milkshakes," you understand just a</p> <p>6 regular milkshake, the type like you would get at</p> <p>7 McDonald's or Burger King?</p> <p>8 A. That's correct, ice cream and milk.</p> <p>9 Q. So to your knowledge, there is nothing but</p> <p>10 ice cream and milk in these milkshakes?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. That's what I understand a milkshake to</p> <p>13 be.</p> <p>14 BY MR. KOLENICH:</p> <p>15 Q. Have you ever seen the deployment of a</p> <p>16 milkshake at a counterprotest?</p> <p>17 A. I have not, no.</p> <p>18 Q. Showing what will be marked Exhibit 3.</p> <p>19 Do you recognize this as your --</p> <p>20 withdrawn.</p> <p>21 Do you recognize this as a message on your</p> <p>22 Twitter account?</p> <p>23 (Exhibit 3 was marked.)</p> <p>24 A. Yes.</p> <p>25 Q. Could you read that for us?</p>
<p>Page 108</p> <p>1 S. WISELWEY</p> <p>2 MS. PHILLIPS: Objection.</p> <p>3 Which portion?</p> <p>4 BY MR. KOLENICH:</p> <p>5 Q. I'm sorry. Just the portion above</p> <p>6 where -- withdraw all that.</p> <p>7 Let me open up the tools here, and I'll</p> <p>8 highlight it. The portion above the blue line I've</p> <p>9 just drawn badly.</p> <p>10 A. What I see on my screen reads: "Take your</p> <p>11 MAGA-loving loved one out to Dairy Queen to discuss</p> <p>12 the current state of things. Order a milkshake.</p> <p>13 When they justify concentration camps, spill your</p> <p>14 milkshake on them. Jesus got you."</p> <p>15 Q. Okay. Thank you.</p> <p>16 MR. KOLENICH: Jessica, do you mind if I</p> <p>17 remove the blue line, or should I leave it on there?</p> <p>18 MS. PHILLIPS: I'm fine with you removing</p> <p>19 the blue line.</p> <p>20 MR. KOLENICH: If I can figure out how to</p> <p>21 do it. No secretary causes all kinds of problems.</p> <p>22 Q. There we go. Thank you, Reverend.</p> <p>23 You mentioned "Jesus got you." Is that</p> <p>24 what it said?</p> <p>25 A. Yes.</p>	<p>Page 109</p> <p>1 S. WISELWEY</p> <p>2 Q. And you are a Christian reverend?</p> <p>3 A. I'm an ordained Minister of Word and</p> <p>4 Sacrament in the United Church of Christ, which</p> <p>5 identifies as a Christian denomination, yes.</p> <p>6 Q. What does it mean to be a "Christian</p> <p>7 denomination"?</p> <p>8 A. It can mean many different things. There</p> <p>9 are many different types of Christian denominations.</p> <p>10 Q. What does it mean for your particular</p> <p>11 denomination?</p> <p>12 A. The United Church of Christ is a</p> <p>13 denomination that professes that God is alive and</p> <p>14 well in the world, that God cares about loving</p> <p>15 everyone, about justice and making things right and</p> <p>16 fair for all. We take our holy scripture seriously,</p> <p>17 and we also believe that God is still speaking and</p> <p>18 moving in the world through a living and active</p> <p>19 spirit. That would be the very short version.</p> <p>20 Q. By "God," do you mean "Jesus Christ"?</p> <p>21 A. I believe Jesus is and was and is a</p> <p>22 manifestation of the purposes and dreams of God for</p> <p>23 humanity and our world, yes.</p> <p>24 Q. Does your denomination have the sacrament</p> <p>25 of baptism?</p>

<p>Page 110</p> <p>1 S. WISELWEY</p> <p>2 A. Yes.</p> <p>3 Q. Is it necessary in your denomination to be</p> <p>4 baptized in order to be a Christian?</p> <p>5 A. No. We do not require any creedal oaths</p> <p>6 to identify as a Christian. We have two sacraments,</p> <p>7 communion and baptism.</p> <p>8 Q. In your denomination, what is the purpose,</p> <p>9 then, of baptism?</p> <p>10 A. This is not -- I don't have any kind of</p> <p>11 official statement memorized, but in my own words,</p> <p>12 the purpose of baptism is to identify oneself with</p> <p>13 the cleansing power of the Holy Spirit and a</p> <p>14 recognition that following the living spirit of</p> <p>15 Jesus lays claims on the life we want to live</p> <p>16 growing forward.</p> <p>17 Q. Does your denomination have any sort of</p> <p>18 position regarding Jews?</p> <p>19 MS. PHILLIPS: Object to form.</p> <p>20 A. I'm not familiar with any formal stance</p> <p>21 regarding Jews in the United Church of Christ.</p> <p>22 BY MR. KOLENICH:</p> <p>23 Q. Does your denomination admit the use of</p> <p>24 violence, however minimal, such as pouring</p> <p>25 milkshakes on people in spreading the works of</p>	<p>Page 111</p> <p>1 S. WISELWEY</p> <p>2 Christianity?</p> <p>3 MS. PHILLIPS: Object to form.</p> <p>4 A. I'm not familiar with any formal statement</p> <p>5 regarding milkshakes in the United Church of Christ.</p> <p>6 BY MR. KOLENICH:</p> <p>7 Q. You are a reverend in the United Church of</p> <p>8 Christ, are you not?</p> <p>9 A. Correct.</p> <p>10 Q. In your opinion as a reverend, is it</p> <p>11 permissible to use violence to suppress what you</p> <p>12 consider to be unacceptable behavior?</p> <p>13 MS. PHILLIPS: Object to form.</p> <p>14 A. No. I do not believe in the use of</p> <p>15 violence to -- in any context in my behavior or</p> <p>16 actions as a reverend or Christian.</p> <p>17 BY MR. KOLENICH:</p> <p>18 Q. You were present in Charlottesville on</p> <p>19 August 12, 2017?</p> <p>20 A. Yes.</p> <p>21 Q. I believe you testified earlier that you</p> <p>22 saw multiple acts of violence; is that right?</p> <p>23 A. Yes.</p> <p>24 Q. But you did not see any violent acts</p> <p>25 perpetrated by counterprotesters?</p>
<p>Page 112</p> <p>1 S. WISELWEY</p> <p>2 A. In my experience -- in what I experienced</p> <p>3 and observed on August 12, 2017, I did not see acts</p> <p>4 of violence perpetrated by counterprotesters.</p> <p>5 Q. When did you arrive at the former Lee</p> <p>6 Park?</p> <p>7 A. I arrived at Emancipation Park around</p> <p>8 8:00 a.m. the morning of August 12, 2017.</p> <p>9 Q. Is that its current name? Emancipation</p> <p>10 Park?</p> <p>11 A. At the time it was called Emancipation</p> <p>12 Park. I believe there's an ongoing discussion, so</p> <p>13 I'm not entirely sure if that's its current name.</p> <p>14 Q. Okay. So when you say "Emancipation</p> <p>15 Park," you mean the park where the Unite the Right</p> <p>16 rally occurred that has a statue of General Lee in</p> <p>17 it?</p> <p>18 A. Yes. My memory is telling me that it</p> <p>19 might be called Market Street Park now, but, yes,</p> <p>20 Emancipation Park is the park with the statue of</p> <p>21 Robert E. Lee in it.</p> <p>22 Q. Okay. So it's -- we'll just call it</p> <p>23 Emancipation Park for today since we are not certain</p> <p>24 what its current name is.</p> <p>25 Is that okay?</p>	<p>Page 113</p> <p>1 S. WISELWEY</p> <p>2 A. That's fine.</p> <p>3 Q. Do you -- all right. So do you recall</p> <p>4 what time you arrived at Emancipation Park on</p> <p>5 August 12, 2017?</p> <p>6 A. Around 8:00 a.m.</p> <p>7 Q. And how many people were present when you</p> <p>8 arrived around 8:00 a.m.?</p> <p>9 MS. PHILLIPS: Object to form.</p> <p>10 A. It's really hard to say. There were</p> <p>11 different people all within the vicinity in and</p> <p>12 around the park.</p> <p>13 BY MR. KOLENICH:</p> <p>14 Q. I'm going to show you Exhibit 4.</p> <p>15 Probably.</p> <p>16 (Exhibit 4 was marked.)</p> <p>17 Q. Are you able to see the picture on the</p> <p>18 screen?</p> <p>19 A. Yes.</p> <p>20 Q. Is this a picture of August 12, 2017, in</p> <p>21 Charlottesville, Virginia?</p> <p>22 A. Yes.</p> <p>23 Q. Can you identify any of the people in the</p> <p>24 picture?</p> <p>25 A. Yes.</p>

<p>Page 114</p> <p>1 S. WISELWEY</p> <p>2 Q. Who can you identify?</p> <p>3 A. I can identify Eric Martin, Laura</p> <p>4 Harrison.</p> <p>5 Q. I'm sorry to interrupt.</p> <p>6 Can you identify -- when you recognize a</p> <p>7 person, can you try to tell us where the person is</p> <p>8 in the picture?</p> <p>9 A. Sure. I am in roughly the middle of the</p> <p>10 picture in the long white robe with the red stole.</p> <p>11 I'm sorry. Is the question to identify by</p> <p>12 name different people I recognize?</p> <p>13 Q. Yes, if you could, and then do your best</p> <p>14 to tell us where they are in the picture.</p> <p>15 A. Sure. Directly to my right is Reverend</p> <p>16 Brittany Caine-Conley. Directly to her right is</p> <p>17 Eric Martin. Directly to my left is Mark Hasey.</p> <p>18 Directly to his left is Ann Marie Smith. Directly</p> <p>19 to her left is Brandy Daniels. Behind her in the</p> <p>20 black coat and tie is Dr. Cornel West. Behind Mark</p> <p>21 Hasey, with her head turning upwards, is Rebekah</p> <p>22 Menning. A little closer to the foreground in</p> <p>23 black, the African-American individual is Reverend</p> <p>24 Osagyefo Sekou, and the photographer is someone</p> <p>25 named Heather Wilson.</p>	<p>Page 115</p> <p>1 S. WISELWEY</p> <p>2 Q. Thank you.</p> <p>3 Is that all the people you can recognize</p> <p>4 at this time?</p> <p>5 A. Yes.</p> <p>6 Q. Directing your attention to what appears</p> <p>7 to be a man standing in front of you, perhaps on a</p> <p>8 lower step, he's wearing a black winter-type hat and</p> <p>9 has a full beard, do you recognize that person?</p> <p>10 A. I do not.</p> <p>11 Q. Thank you.</p> <p>12 Are you familiar with a person named Corey</p> <p>13 Long?</p> <p>14 A. Yes.</p> <p>15 Q. How do you know Corey Long?</p> <p>16 MS. PHILLIPS: Objection to form.</p> <p>17 Go ahead.</p> <p>18 A. If we're speaking of the same Corey Long</p> <p>19 as an individual who attended Unite the Right as</p> <p>20 a -- was a counterprotester to Unite the Right, most</p> <p>21 well known for being shot at by a Klan member and</p> <p>22 fashioning a device to defend himself.</p> <p>23 BY MR. KOLENICH:</p> <p>24 Q. Can you describe the device he fashioned</p> <p>25 to defend himself?</p>
<p>Page 116</p> <p>1 S. WISELWEY</p> <p>2 MS. PHILLIPS: Object to form.</p> <p>3 A. I'm not sure what all it entailed. I</p> <p>4 believe he used some kind of aerosol can with a</p> <p>5 lighter to create a flame.</p> <p>6 BY MR. KOLENICH:</p> <p>7 Q. Is it fair to say that would be called a</p> <p>8 "homemade flamethrower"?</p> <p>9 MS. PHILLIPS: Object to form.</p> <p>10 A. That sounds accurate.</p> <p>11 BY MR. KOLENICH:</p> <p>12 Q. Do you know what Mr. Long did with his</p> <p>13 homemade flamethrower?</p> <p>14 A. I did not observe Corey Long or know who</p> <p>15 he was on August 12, 2017. Since that time, I have</p> <p>16 seen pictures of who I understand to be Corey Long</p> <p>17 pointing the flame he crafted towards steps going up</p> <p>18 to Emancipation Park.</p> <p>19 Q. So he actively created a flame with this</p> <p>20 homemade flamethrower?</p> <p>21 MS. PHILLIPS: Object to form.</p> <p>22 A. I don't know if he did all of those</p> <p>23 actions. I haven't seen any video.</p> <p>24 BY MR. KOLENICH:</p> <p>25 Q. So you're not sure what he did on</p>	<p>Page 117</p> <p>1 S. WISELWEY</p> <p>2 August 12, 2017?</p> <p>3 A. I'm not. He's not an individual I'm</p> <p>4 familiar with or know personally.</p> <p>5 Q. I'm going to show Exhibit 5.</p> <p>6 MR. KOLENICH: It's a video we're going to</p> <p>7 play from 22 seconds, Jessica, for about maybe 10</p> <p>8 seconds, 10 to 15 seconds.</p> <p>9 MS. PHILLIPS: Okay.</p> <p>10 (Exhibit 5 was marked.)</p> <p>11 MR. KOLENICH: Of course, I'm going to</p> <p>12 have to reload this. I forgot to hit the video box.</p> <p>13 Still Exhibit 5.</p> <p>14 BY MR. KOLENICH:</p> <p>15 Q. Let me know if you have any trouble seeing</p> <p>16 or hearing this, Reverend Wispelwey.</p> <p>17 (Video played.)</p> <p>18 Q. Were you able to hear that?</p> <p>19 A. Yes.</p> <p>20 Q. And was that you in the video?</p> <p>21 A. Yes.</p> <p>22 Q. And what were you saying in that video?</p> <p>23 MS. PHILLIPS: Object to form.</p> <p>24 A. It was a little hard to hear with the</p> <p>25 background noise. It sounded like I said something</p>

<p style="text-align: right;">Page 118</p> <p>1 S. WISELWEY</p> <p>2 to the effect of "the conviction of Corey Long was</p> <p>3 an unacceptable flexing of white supremacy in our</p> <p>4 court system," and I missed the end of it.</p> <p>5 BY MR. KOLENICH:</p> <p>6 Q. Okay. But you were addressing the</p> <p>7 conviction of Corey Long to that report?</p> <p>8 A. Yes.</p> <p>9 Q. But it's your testimony today that you</p> <p>10 don't know what Corey Long did or didn't do?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. In answering the previous question, I</p> <p>13 believe I was answering whether or not I knew what</p> <p>14 he was doing that day. All subsequent knowledge</p> <p>15 came from reading stories and seeing the video of</p> <p>16 him being shot at. That's-- so since August 12,</p> <p>17 that's the story I know.</p> <p>18 BY MR. KOLENICH:</p> <p>19 Q. If you remember -- what was he convicted</p> <p>20 of prior to you talking to this reporter?</p> <p>21 A. I don't remember the charge or what he was</p> <p>22 convicted of.</p> <p>23 Q. Is it your understanding that he fashioned</p> <p>24 this homemade flamethrower after he was shot at?</p> <p>25 MS. PHILLIPS: Object to form.</p>	<p style="text-align: right;">Page 119</p> <p>1 S. WISELWEY</p> <p>2 A. I don't recall which event happened first.</p> <p>3 I believe -- I don't recall.</p> <p>4 BY MR. KOLENICH:</p> <p>5 Q. Okay. Fair enough.</p> <p>6 You didn't eyewitness this event, did you,</p> <p>7 the flamethrower event?</p> <p>8 A. No. I believe I was at Escafé when it</p> <p>9 probably took place.</p> <p>10 Q. And did you eyewitness the shooting at</p> <p>11 Corey Long?</p> <p>12 A. I did not eyewitness that.</p> <p>13 Q. How did you learn that that occurred?</p> <p>14 A. I saw a video of it.</p> <p>15 Q. To your knowledge, was anyone charged with</p> <p>16 a crime for shooting at Corey Long?</p> <p>17 A. I believe so, but I'm not entirely sure.</p> <p>18 Q. Okay. On the morning of August 12, did</p> <p>19 you attend a service or a speech by Cornel West?</p> <p>20 A. On the morning of August 12, I attended a</p> <p>21 service that had been put together by Congregate</p> <p>22 Charlottesville. Dr. Cornel West was one of the</p> <p>23 speakers at that service.</p> <p>24 Q. Do you recall generally what Dr. Cornel</p> <p>25 West said at that service?</p>
<p style="text-align: right;">Page 120</p> <p>1 S. WISELWEY</p> <p>2 A. Generally, yes. I actually stepped out</p> <p>3 for a chunk of his sermon to connect with some of my</p> <p>4 colleagues outside the church, but I remember</p> <p>5 generally that it was an inspiring sermon, affirming</p> <p>6 people's desire and spiritual calling to God's</p> <p>7 vision for love and equality for all.</p> <p>8 Q. What do you mean by the phrase "love and</p> <p>9 equality for all"?</p> <p>10 A. Out of my faith calling, I believe and</p> <p>11 understand "love and equality for all" to be an</p> <p>12 expression that each human being has inherent</p> <p>13 dignity and value and worth and belovedness and that</p> <p>14 we can all be a part of building a world with the</p> <p>15 spirit of God that makes those things come true.</p> <p>16 Q. In your religious belief, is there a life</p> <p>17 after death?</p> <p>18 A. My personal religious beliefs are</p> <p>19 indeterminate on the matter. I'm not sure it's</p> <p>20 something I know or can know.</p> <p>21 Q. Is there an official position of the</p> <p>22 United Church of Christ on the subject of a life</p> <p>23 after death?</p> <p>24 A. I'm not actually sure.</p> <p>25 Q. Fair enough.</p>	<p style="text-align: right;">Page 121</p> <p>1 S. WISELWEY</p> <p>2 Do you recall Dr. Cornel West saying</p> <p>3 something about counterprotesters being arrested on</p> <p>4 August 12, 2017?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. Yes. As I recall, generally, he was</p> <p>7 inspiring people that to follow the life-giving way</p> <p>8 of God and the belief that humans belong to each</p> <p>9 other, and they sometimes lead to arrest.</p> <p>10 BY MR. KOLENICH:</p> <p>11 Q. Did you intend to prevent Unite the Right</p> <p>12 protesters from entering Emancipation Park on</p> <p>13 August 12, 2017?</p> <p>14 MS. PHILLIPS: Object to form.</p> <p>15 A. I did not believe we had the power to</p> <p>16 actually prevent white supremacists from entering</p> <p>17 the park.</p> <p>18 BY MR. KOLENICH:</p> <p>19 Q. Okay. Did you intend to attempt to stop</p> <p>20 them from entering the park?</p> <p>21 MS. PHILLIPS: Object to form.</p> <p>22 A. No.</p> <p>23 BY MR. KOLENICH:</p> <p>24 Q. I guess, for clarity, how do you want to</p> <p>25 refer to Jason Kessler and his supporters as? And</p>

<p>Page 122</p> <p>1 S. WISELWEY</p> <p>2 any phrase that you're comfortable with will do.</p> <p>3 Is it "white supremacist" or something</p> <p>4 else?</p> <p>5 A. I've been using that term because it's a</p> <p>6 good catch-all term.</p> <p>7 Q. Okay. So we'll call-- for purposes of</p> <p>8 this deposition, we'll call Jason Kessler and any</p> <p>9 other people that were supporting him on August 12</p> <p>10 "white supremacists," and we'll call anybody else</p> <p>11 "counterprotesters."</p> <p>12 Is that fair?</p> <p>13 A. That works.</p> <p>14 Q. Okay. So did you attempt to stop white</p> <p>15 supremacists from entering Emancipation Park on</p> <p>16 August 12, 2017?</p> <p>17 A. No.</p> <p>18 Q. Did you ever form a line linking your arms</p> <p>19 together with other persons, other counterprotesters</p> <p>20 on August 12, 2017?</p> <p>21 MS. PHILLIPS: Object to form. Asked and</p> <p>22 answered.</p> <p>23 Go ahead.</p> <p>24 A. Yes.</p> <p>25 BY MR. KOLENICH:</p>	<p>Page 123</p> <p>1 S. WISELWEY</p> <p>2 Q. What was the purpose of forming that line?</p> <p>3 MS. PHILLIPS: Object to form. Asked and</p> <p>4 answered.</p> <p>5 Go ahead.</p> <p>6 A. The initial line we formed was on Market</p> <p>7 Street, just a simple single-file line. And then I</p> <p>8 was also part of a group that linked arms on the</p> <p>9 southeast corner of the park, which was not an</p> <p>10 entrance for access to the rally.</p> <p>11 BY MR. KOLENICH:</p> <p>12 Q. Are you familiar with a group that is</p> <p>13 generally referred to as "antifa"?</p> <p>14 A. I'm familiar with the term "antifa," yes.</p> <p>15 Q. What do you understand by the term</p> <p>16 "antifa"?</p> <p>17 A. Antifa is, as far as I can tell, a</p> <p>18 catch-all term for -- used primarily in the media to</p> <p>19 refer to people who consider themselves antifascist.</p> <p>20 I think it also has a second meaning that refers to</p> <p>21 counterprotesters to what are considered fascists or</p> <p>22 white supremacists. It's just a generalizing term,</p> <p>23 is my understanding of it.</p> <p>24 Q. In your understanding, does antifa have</p> <p>25 any connection with use of violence in</p>
<p>Page 124</p> <p>1 S. WISELWEY</p> <p>2 counterprotesting white supremacists or fascists?</p> <p>3 MS. PHILLIPS: Object to form.</p> <p>4 A. In my understanding, antifa is not</p> <p>5 actually a formal group. So it is hard to designate</p> <p>6 or define, for me, what they do or don't do.</p> <p>7 BY MR. KOLENICH:</p> <p>8 Q. Would it be fair to say that certain</p> <p>9 people identify themselves as antifa or</p> <p>10 antifascists?</p> <p>11 A. I know people identify themselves as</p> <p>12 antifascist. I don't know how or in what ways</p> <p>13 people identify as antifa.</p> <p>14 Q. Are people who identify themselves as</p> <p>15 antifascists given to using any means whatsoever to</p> <p>16 stop white supremacists from holding public space</p> <p>17 and public rallies?</p> <p>18 MS. PHILLIPS: Object to form.</p> <p>19 A. I'm not sure what all the people who</p> <p>20 identify as antifascist do or consider ways of</p> <p>21 holding public space, if they are the same people or</p> <p>22 not.</p> <p>23 BY MR. KOLENICH:</p> <p>24 Q. Fair enough. Are any people, to your</p> <p>25 knowledge, who identify as antifascists given to use</p>	<p>Page 125</p> <p>1 S. WISELWEY</p> <p>2 of illegal means to stop white supremacists from</p> <p>3 holding public rallies?</p> <p>4 MS. PHILLIPS: Object to form.</p> <p>5 A. I really can't say because I don't know</p> <p>6 individuals that are defined as such.</p> <p>7 BY MR. KOLENICH:</p> <p>8 Q. Is it your testimony that you don't know</p> <p>9 any individuals who are antifascists?</p> <p>10 A. No, I'm sorry. I meant -- I was saying</p> <p>11 that I don't know people who identify as</p> <p>12 antifascists and then talk about using any means</p> <p>13 necessary to confront fascists. I see online people</p> <p>14 identify as antifascists.</p> <p>15 Q. But you don't know these people online who</p> <p>16 identify as antifascists?</p> <p>17 MS. PHILLIPS: Object to form.</p> <p>18 A. It's hard to say specifically without</p> <p>19 knowing who we are talking about.</p> <p>20 BY MR. KOLENICH:</p> <p>21 Q. All right. So it's possible that some of</p> <p>22 the people online who identify as antifascists are</p> <p>23 people that you know?</p> <p>24 A. It's possible.</p> <p>25 Q. Do you recall giving an interview on</p>

<p style="text-align: right;">Page 126</p> <p>1 S. WISELWEY</p> <p>2 March 3, 2020, called "Lent 6, Sacred Conversations</p> <p>3 to End Racism and European Voices"?</p> <p>4 A. I don't recall that particular interview.</p> <p>5 Q. Okay.</p> <p>6 A. From this year? Of March?</p> <p>7 Q. The date I have is March 3, 2020, yes.</p> <p>8 A. I don't recall an interview of this March</p> <p>9 on that. The title of it, it sounds familiar, but</p> <p>10 that's about it.</p> <p>11 Q. Fair enough.</p> <p>12 Do you recall ever making the statement</p> <p>13 "what was revealed through that process is that a</p> <p>14 lot of them had their most potent identity in their</p> <p>15 whiteness and their maleness, not their Christian</p> <p>16 thing"?</p> <p>17 MS. PHILLIPS: Object to form.</p> <p>18 A. I don't recall making that particular</p> <p>19 statement.</p> <p>20 BY MR. KOLENICH:</p> <p>21 Q. Do you recall ever expressing the opinion</p> <p>22 that it was racist to accuse counterprotesters of</p> <p>23 violence?</p> <p>24 A. I don't recall making that --</p> <p>25 (Overlapping speakers.)</p>	<p style="text-align: right;">Page 127</p> <p>1 S. WISELWEY</p> <p>2 MS. PHILLIPS: Object to form. Object to</p> <p>3 form.</p> <p>4 Go ahead, Seth.</p> <p>5 A. I don't recall making that particular</p> <p>6 statement.</p> <p>7 BY MR. KOLENICH:</p> <p>8 Q. Have you ever accused anyone of being a</p> <p>9 racist?</p> <p>10 A. I believe I have, yes.</p> <p>11 Q. And what do you understand by the term</p> <p>12 "racist"?</p> <p>13 MS. PHILLIPS: Object to form.</p> <p>14 A. I'm sorry, was the question racist or</p> <p>15 racism?</p> <p>16 BY MR. KOLENICH:</p> <p>17 Q. It was racist, but you can answer however</p> <p>18 you think best; define racism, whatever is most</p> <p>19 useful.</p> <p>20 A. I would define "racism" as a set of</p> <p>21 beliefs, actions, and policies that are brought to</p> <p>22 bear to discriminate against people based on their</p> <p>23 race.</p> <p>24 Q. So your understanding -- withdrawn.</p> <p>25 In your understanding, it would be</p>
<p style="text-align: right;">Page 128</p> <p>1 S. WISELWEY</p> <p>2 possible for white persons to be the victims of</p> <p>3 racism?</p> <p>4 A. Theoretically, if someone was</p> <p>5 discriminating against someone based on their race,</p> <p>6 the actual color of their skin is immaterial to that</p> <p>7 theoretical possibility.</p> <p>8 Q. I know we've used "white supremacist" to</p> <p>9 describe Kessler and his supporters, but aside from</p> <p>10 that, how do you understand the phrase "white</p> <p>11 supremacy"?</p> <p>12 MS. PHILLIPS: Object to form.</p> <p>13 A. In my understanding, if I've entered a</p> <p>14 definition, it is that white supremacy is a system</p> <p>15 and actions and beliefs brought to bear to</p> <p>16 specifically privilege those who are deemed or</p> <p>17 called white over and against other races.</p> <p>18 BY MR. KOLENICH:</p> <p>19 Q. And have you heard the phrase "structural</p> <p>20 white supremacy"?</p> <p>21 A. I've heard that phrase, or a variation on</p> <p>22 it.</p> <p>23 Q. And how do you understand that phrase or</p> <p>24 its variation?</p> <p>25 MS. PHILLIPS: Object to form.</p>	<p style="text-align: right;">Page 129</p> <p>1 S. WISELWEY</p> <p>2 A. Structural or systemic white supremacy is</p> <p>3 when the beliefs and actions of white supremacists</p> <p>4 who believe white people are superior to other races</p> <p>5 are codified into societal institutions and</p> <p>6 organizations and governance.</p> <p>7 BY MR. KOLENICH:</p> <p>8 Q. And is it your understanding that the</p> <p>9 modern United States is structurally white</p> <p>10 supremacists?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. I'm not a historian. From what I have</p> <p>13 read, I believe that there a is lot of evidence that</p> <p>14 those who put in place societal structures,</p> <p>15 institutions, and systems of governance in our</p> <p>16 country were driven by beliefs that white people are</p> <p>17 superior to other races.</p> <p>18 BY MR. KOLENICH:</p> <p>19 Q. So is it your opinion that to remedy that</p> <p>20 we should rework the governing structures of the</p> <p>21 United States of America?</p> <p>22 MS. PHILLIPS: Object to form.</p> <p>23 A. That's a big question with a lot of</p> <p>24 nuance. And this is just my opinion that, as a</p> <p>25 person of faith and my own particular value set, I</p>

<p>Page 130</p> <p>1 S. WISELWEY</p> <p>2 believe we come closer to the dreams of the living</p> <p>3 God by forming a society that treats all people</p> <p>4 equally.</p> <p>5 BY MR. KOLENICH:</p> <p>6 Q. And what do you mean by "equally" in</p> <p>7 that -- in that -- or what did you mean by</p> <p>8 "equally"?</p> <p>9 MS. PHILLIPS: Object to form.</p> <p>10 Go ahead.</p> <p>11 A. For example, when I use "equally," that</p> <p>12 there would be protections and safety measures put</p> <p>13 in place to ensure that no one is discriminated</p> <p>14 against, for example, based on their race.</p> <p>15 BY MR. KOLENICH:</p> <p>16 Q. How would society go about ensuring that</p> <p>17 no one was discriminated against based on their</p> <p>18 race?</p> <p>19 MS. PHILLIPS: Object to form.</p> <p>20 A. That's a big question where I could think</p> <p>21 of many examples. I think there are a wide variety</p> <p>22 of options available for people who live in such a</p> <p>23 society like the United States to speak up and</p> <p>24 advocate for policies and measures and ways of</p> <p>25 relating to one another that further the vision of</p>	<p>Page 131</p> <p>1 S. WISELWEY</p> <p>2 equality.</p> <p>3 BY MR. KOLENICH:</p> <p>4 Q. Do you think existing laws are sufficient</p> <p>5 to -- withdrawn.</p> <p>6 Are existing laws -- withdrawn again.</p> <p>7 Can existing laws sufficiently ensure this</p> <p>8 vision of equality?</p> <p>9 MS. PHILLIPS: Object to form.</p> <p>10 A. I don't believe so, no.</p> <p>11 BY MR. KOLENICH:</p> <p>12 Q. So what new types of laws or new laws</p> <p>13 would be necessary to ensure the vision of equality?</p> <p>14 MS. PHILLIPS: Object to form.</p> <p>15 A. I'm not a legislator or a lawyer. I can</p> <p>16 think of one example regarding the Voting Rights Act</p> <p>17 and what I understand is its need for robust renewal</p> <p>18 to ensure voting protections, but that's my opinion.</p> <p>19 BY MR. KOLENICH:</p> <p>20 Q. What is your understanding of -- no,</p> <p>21 withdrawn.</p> <p>22 Is it your understanding that non-white</p> <p>23 people have difficulty casting their votes,</p> <p>24 currently?</p> <p>25 MS. PHILLIPS: Object to form.</p>
<p>Page 132</p> <p>1 S. WISELWEY</p> <p>2 A. From the bit I've read and not being a</p> <p>3 comprehensive scholar on the subject, it is my</p> <p>4 understanding that there are measures in place right</p> <p>5 now that make it difficult for everyone to have full</p> <p>6 and equal access to the ballot box.</p> <p>7 BY MR. KOLENICH:</p> <p>8 Q. Do you recall giving an interview to Slate</p> <p>9 magazine on August 16, 2017?</p> <p>10 A. I remember giving an interview to Slate</p> <p>11 magazine shortly after August 12, 2017, yes.</p> <p>12 Q. Do you recall that the interview dealt</p> <p>13 with the subject of antifa?</p> <p>14 MS. PHILLIPS: Object to form.</p> <p>15 A. I recall the interview discussing the</p> <p>16 different protesters and attendees at Unite the</p> <p>17 Right, yes.</p> <p>18 BY MR. KOLENICH:</p> <p>19 Q. Do you recall giving the quote: "They have</p> <p>20 their tools to achieve their purposes and they are</p> <p>21 not the ones I will personally use, but let me</p> <p>22 stress that our purposes were the same. Block this</p> <p>23 violent tide and do not let it take a pedestal."</p> <p>24 A. Having not revisited the article or</p> <p>25 interview in a long time, I'm not entirely sure that</p>	<p>Page 133</p> <p>1 S. WISELWEY</p> <p>2 those are my words.</p> <p>3 Q. Do you agree with those words today as you</p> <p>4 hear them?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. I agree with the idea that those who are</p> <p>7 called to protest against white supremacists and</p> <p>8 fascists share a similar goal of ensuring that those</p> <p>9 ideologies do not advance further than they already</p> <p>10 have.</p> <p>11 BY MR. KOLENICH:</p> <p>12 Q. It's your testimony that you do not agree</p> <p>13 that violent acts are an appropriate response --</p> <p>14 withdrawn.</p> <p>15 Is it your testimony that you do not agree</p> <p>16 that the use of violence is appropriate in reaching</p> <p>17 that goal?</p> <p>18 MS. PHILLIPS: Object to form.</p> <p>19 A. Yes. I do not believe in violence as a</p> <p>20 legitimate form of protest.</p> <p>21 BY MR. KOLENICH:</p> <p>22 Q. Showing Exhibit 5 -- I'm sorry, Exhibit 6.</p> <p>23 (Exhibit 6 was marked.)</p> <p>24 Q. Does this appear to be a tweet from your</p> <p>25 Twitter account?</p>

<p>Page 134</p> <p>1 S. WISELWEY</p> <p>2 A. It appears to be, yes.</p> <p>3 Q. Could you read the tweet above the box</p> <p>4 that begins "U.S."?</p> <p>5 A. Sure. What I see reads: "Writing that</p> <p>6 'protests turn violent' is violence. It is always</p> <p>7 code for oppressed folks and those in bodily</p> <p>8 solidarity not backing down to the perpetration,</p> <p>9 provocation, and escalation of state violence,</p> <p>10 accompanied by images of damage to inanimate</p> <p>11 objects. White supremacy reinforced."</p> <p>12 Q. Thank you. So is the meaning of this</p> <p>13 tweet that it's white supremacy to prevent a crowd</p> <p>14 from burning down a building?</p> <p>15 MS. PHILLIPS: Object to form.</p> <p>16 A. No. The meaning in my tweet is directed</p> <p>17 to media narratives that excise human agency from</p> <p>18 the stories they are covering.</p> <p>19 BY MR. KOLENICH:</p> <p>20 Q. Okay. So is it fair to say that on this</p> <p>21 Exhibit 6, the part you did not read appears to be a</p> <p>22 news headline, stating "Protests Turn Violent in</p> <p>23 Minneapolis," and the accompanied picture appears to</p> <p>24 be a building on fire?</p> <p>25 A. Yes. That's what I read and see.</p>	<p>Page 135</p> <p>1 S. WISELWEY</p> <p>2 Q. Do you understand that picture to be a</p> <p>3 police station in Minneapolis?</p> <p>4 MS. PHILLIPS: Object to form.</p> <p>5 A. I don't know what building that is.</p> <p>6 BY MR. KOLENICH:</p> <p>7 Q. Is it fair to say it's some building in</p> <p>8 Minneapolis that has been set on fire?</p> <p>9 MS. PHILLIPS: Object to form.</p> <p>10 A. Given the headline, I believe that's a</p> <p>11 safe assumption to make. Yes.</p> <p>12 BY MR. KOLENICH:</p> <p>13 Q. Okay. I am removing the exhibit. It's</p> <p>14 your testimony that that tweet -- withdrawn.</p> <p>15 Does that tweet mean that the way things</p> <p>16 are phrased can be white supremacy?</p> <p>17 MS. PHILLIPS: Object to form.</p> <p>18 A. As I recall, when I posted it relatively</p> <p>19 recently, my issue was that there was not a larger</p> <p>20 context addressed in the headline, that phrasing</p> <p>21 "protests turned violent" does not specify or</p> <p>22 accurately describe what is actually going on.</p> <p>23 BY MR. KOLENICH:</p> <p>24 Q. Fair enough.</p> <p>25 Is it your understanding that words can</p>
<p>Page 136</p> <p>1 S. WISELWEY</p> <p>2 constitute violence?</p> <p>3 MS. PHILLIPS: Object to form.</p> <p>4 A. I define for myself "actual violence" as</p> <p>5 harm intended and carried out on another human being</p> <p>6 physically.</p> <p>7 BY MR. KOLENICH:</p> <p>8 Q. Can that harm -- go ahead.</p> <p>9 A. I was just saying physically.</p> <p>10 Q. Physical harm. That's what you mean?</p> <p>11 A. Yes.</p> <p>12 Q. So merely insulting somebody cannot be</p> <p>13 violence, in your understanding?</p> <p>14 A. Violence is a -- can be a complex and</p> <p>15 nuanced concept, that people can incite the kind of</p> <p>16 physical violence with their words, and using the</p> <p>17 word "violence" can be a shorthand for that direct</p> <p>18 connection.</p> <p>19 Q. Okay. So let's try to break that answer</p> <p>20 down.</p> <p>21 I believe you said that using the words</p> <p>22 can incite violence.</p> <p>23 Is that accurate?</p> <p>24 MS. PHILLIPS: Object to form.</p> <p>25 A. Yes. I believe words are very powerful.</p>	<p>Page 137</p> <p>1 S. WISELWEY</p> <p>2 BY MR. KOLENICH:</p> <p>3 Q. So then the -- in your understanding,</p> <p>4 again, the violence is not the words, however</p> <p>5 insulting, but an actual physical violent act that</p> <p>6 somebody else takes because of the words?</p> <p>7 MS. PHILLIPS: Object to form.</p> <p>8 A. Yes. I understand violence is really the</p> <p>9 result of bodily harm caused and inflicted on human</p> <p>10 individuals.</p> <p>11 BY MR. KOLENICH:</p> <p>12 Q. So your lawsuit against Jason Kessler is</p> <p>13 because you believe his words incited somebody else</p> <p>14 to commit violence, a violent act?</p> <p>15 MS. PHILLIPS: Object to form.</p> <p>16 A. Is the question related to why I'm a</p> <p>17 plaintiff in this case, or to what Jason Kessler did</p> <p>18 do?</p> <p>19 BY MR. KOLENICH:</p> <p>20 Q. Both. Please answer both of those.</p> <p>21 A. Sure. I'm not sure what all Jason Kessler</p> <p>22 has done. I am a plaintiff in this case because I</p> <p>23 experienced and observed the violence of white</p> <p>24 supremacists who organized and attended Unite the</p> <p>25 Right in the summer of 2017, specifically August 11</p>

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1 S. WISELWEY

2 and 12.

3 Q. Were you physically present on

4 August 11, 2017?

5 MS. PHILLIPS: Object to form.

6 Physically present where?

7 MR. KOLENICH: I thought I got one past

8 you. I think if I get one more consecutive, I get a

9 set of steak knives. I don't know --

10 BY MR. KOLENICH:

11 Q. I'm sorry, I withdraw the previous

12 question.

13 Were you physically present, Reverend, at

14 the torchlight rally at the UVA campus -- University

15 of Virginia campus -- on August 11, 2017?

16 A. I was not physically on UVA's grounds when

17 the torchlight rally was happening.

18 Q. Did you see any part of the torchlight

19 rally?

20 A. Yes.

21 Q. And where were you standing when you saw

22 part of the torchlight rally?

23 A. When I saw the torchlight rally when it

24 was going on, I was standing on the top of the steps

25 of St. Paul's Memorial Church.

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1 S. WISELWEY

2 A. Yes.

3 Q. Did you observe any violent activity at

4 the torchlight rally?

5 A. No.

6 Q. Are you familiar with the phrase

7 "deplatforming"?

8 A. Yes, I've heard that phrase.

9 Q. What do you understand by the phrase

10 "deplatforming"?

11 MS. PHILLIPS: Object to form.

12 A. Yeah. In the popular understanding of the

13 phrase that I'm familiar with, "deplatforming"

14 refers broadly to the process by which -- and this

15 is just my definition -- the process by which

16 individuals or perhaps groups lose access to their

17 communications or maybe funding platforms.

18 BY MR. KOLENICH:

19 Q. Is it something you've ever tried to do to

20 an individual or group?

21 MS. PHILLIPS: Objection. Form.

22 A. I'm not sure if I've ever explicitly done

23 that or not.

24 BY MR. KOLENICH:

25 Q. You're not sure if you ever attempted to

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1 S. WISELWEY

2 Q. Where is St. Paul's Memorial Church in

3 relation to where the torchlight rally occurred?

4 A. It's across and a little down the street

5 on University Avenue.

6 Q. Okay. So how much of the rally -- I'm

7 sorry.

8 How much of the torchlight rally could you

9 see from that location?

10 MS. PHILLIPS: Object to form.

11 A. What I saw was a large group of

12 individuals with flaming torches around the Thomas

13 Jefferson statue.

14 BY MR. KOLENICH:

15 Q. Is that all you saw?

16 MS. PHILLIPS: Object to form.

17 A. At that point, that's what I saw of the

18 actual torchlit rally.

19 BY MR. KOLENICH:

20 Q. How long did you observe the torchlight

21 rally?

22 A. That particular moment, I was out there

23 for a few minutes.

24 Q. So you only watched the torchlight rally

25 for a few minutes?

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1 S. WISELWEY

2 deplatform an individual or a group?

3 MS. PHILLIPS: Object to form.

4 A. No, because I'm not entirely sure if my

5 definition of it is accurate. I don't know.

6 BY MR. KOLENICH:

7 Q. Limiting ourselves to your definition,

8 have you ever attempted to deplatform an individual

9 or group?

10 A. Not that I recall. I'm not sure what all

11 goes into it.

12 Q. Reverend, is it near 12:00 p.m. where you

13 are?

14 A. Yeah, just about.

15 MR. KOLENICH: Would it be all right if we

16 took a lunch break at this time? About 30 minutes?

17 THE DEPONENT: That sounds good to me.

18 MS. PHILLIPS: That works.

19 MR. KOLENICH: Okay. I'll see you back at

20 3:30 p.m. Eastern. That is 12:30 Tucson time.

21 THE DEPONENT: Yes. That sounds good.

22 MS. PHILLIPS: Okay.

23 MR. KOLENICH: Okay. Off the record.

24 (Whereupon, at 11:57 a.m., (PST) the

25 deposition was adjourned until 12:30 p.m., the same

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1 S. WISPELWEY

2 day.)

3 BY MR. KOLENICH:

4 Q. Okay. Reverend, directing your attention

5 back to August 12 at Emancipation Park, do you

6 recall -- withdrawn.

7 Do you know what the group League of the

8 South was wearing that day?

9 A. I do not know what all members of League

10 of the South were wearing.

11 Q. Are you familiar, as you sit here today,

12 with what any member of League of the South looked

13 like on August 12, 2017?

14 MS. PHILLIPS: Object to form.

15 A. Yes.

16 BY MR. KOLENICH:

17 Q. Which members are you familiar with from

18 League of the South?

19 A. To my recollection, League of the South is

20 identifiable predominantly by the colors black and

21 white on their flags and their dress.

22 Q. Okay. Did you see any persons you

23 understand to be League of the South members on

24 August 12, 2017?

25 A. Yes.

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1 S. WISPELWEY

2 white supremacists intended to inflict violence on

3 August 12, 2017?

4 MS. PHILLIPS: Object to form.

5 A. Yes.

6 BY MR. KOLENICH:

7 Q. Why were you under that impression?

8 A. There are many reasons. Most

9 specifically, I learned from a presentation by

10 community members to Charlottesville City's Council

11 that summer of documented plans by organizers and

12 prospective attendees of Unite the Right to inflict

13 violence at Unite the Right.

14 Q. You learned by -- I'm sorry. Withdrawn.

15 You learned this from community

16 organizers?

17 A. Yes. I learned of it in a presentation

18 documenting conversations organizers and prospective

19 attendees were having online. This evidence and

20 presentation that was made to city council was then

21 posted online for public viewing.

22 Q. So did you view it online?

23 A. I did, yes.

24 Q. Did you have any conversations one on one

25 or in a group with individuals who warned you about

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1 S. WISPELWEY

2 Q. What did you see them doing?

3 A. I saw who I understood to be League of the

4 South marching down Market Street from the east

5 towards Emancipation Park.

6 Q. Did anyone push or attempt to otherwise

7 get through your clergy line at any time on

8 August 12, 2017?

9 MS. PHILLIPS: Object to form.

10 A. Yes.

11 BY MR. KOLENICH:

12 Q. Were any of those persons understood by

13 you to be League of the South members?

14 A. I don't know.

15 Q. Fair enough.

16 Have you ever heard the phrase "community

17 self-defense"?

18 A. Yes, I'm familiar with that phrase.

19 Q. What do you understand by the phrase

20 "community self-defense"?

21 A. In my limited understanding admittedly,

22 "community self-defense" is a broad term used by

23 people to refer to the ways they might try to keep

24 members of their community safe from violence.

25 Q. Were you under the impression that the

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1 S. WISPELWEY

2 white supremacist violence on August 12, 2017?

3 MS. PHILLIPS: Object to form.

4 A. I believe I did have conversations about

5 white supremacist violence that was being planned

6 for August 11 and 12, 2017, with different people.

7 BY MR. KOLENICH:

8 Q. All right. To be clear, since my previous

9 question was horrible, you had these conversations

10 prior to August 11 and 12, 2017?

11 A. Yes.

12 Q. And who did you have these conversations

13 with?

14 A. I'm not sure I could remember all of the

15 different conversations and individuals I talked

16 about the planned violence with.

17 Q. Could you remember any of the individuals

18 that you communicated with on that subject?

19 A. Yes.

20 Q. Who are those individuals?

21 A. I believe I discussed the planned violence

22 with my fellow Congregate organizers and clergy.

23 Q. Can you give us the names of any

24 individuals that you so communicated with?

25 A. Specifically I remember discussing what we

<p style="text-align: right;">Page 146</p> <p>1 S. WISPELWEY</p> <p>2 learned was planned with Reverend Brittany</p> <p>3 Caine-Conley and Reverend Osagyefo Sekou.</p> <p>4 Q. Do you remember the substance of either of</p> <p>5 those communications?</p> <p>6 A. I don't.</p> <p>7 Q. Are you familiar, Reverend, with the</p> <p>8 phrase "diversity of tactics"?</p> <p>9 A. I'm familiar with that phrase, yes.</p> <p>10 Q. What is your understanding of the meaning</p> <p>11 of the phrase "diversity of tactics"?</p> <p>12 A. From my understanding -- it's a relatively</p> <p>13 new term to me over the past few years. It refers</p> <p>14 to the fact that there are different ways that</p> <p>15 people counterprotest injustice and violence.</p> <p>16 Q. Is it your understanding that expressing</p> <p>17 white supremacist speech constitutes violence?</p> <p>18 MS. PHILLIPS: Object to form.</p> <p>19 A. I believe in freedom of speech.</p> <p>20 BY MR. KOLENICH:</p> <p>21 Q. So, to be clear, you do not consider</p> <p>22 merely saying offensive white supremacist-type</p> <p>23 things as violent?</p> <p>24 A. I agree.</p> <p>25 Q. You agree that white supremacist speech</p>	<p style="text-align: right;">Page 147</p> <p>1 S. WISPELWEY</p> <p>2 standing alone is not violence. Is that accurate?</p> <p>3 MS. PHILLIPS: Object to form.</p> <p>4 A. That's correct. Correct. I believe that.</p> <p>5 BY MR. KOLENICH:</p> <p>6 Q. So is it your testimony that you did not</p> <p>7 go to Emancipation Park on August 12 just because</p> <p>8 the alt-right was going to express -- I'm sorry, the</p> <p>9 white supremacists were going to express white</p> <p>10 supremacist speech?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. There were many reasons we, clergy,</p> <p>13 planned to be near Emancipation Park that day.</p> <p>14 BY MR. KOLENICH:</p> <p>15 Q. Have you completed your answer?</p> <p>16 A. Yes. I was just not sure if I fully</p> <p>17 answered the question.</p> <p>18 Q. As best as you can today -- and I</p> <p>19 understand we're a better part of three years later,</p> <p>20 but as best as you can today, can you tell us each</p> <p>21 of the different reasons that you went to</p> <p>22 Emancipation Park on August 12, 2017?</p> <p>23 A. Sure. To the best of my recollection, my</p> <p>24 reasons and those I expressed to the group of people</p> <p>25 who were with us for going to Emancipation Park on</p>
<p style="text-align: right;">Page 148</p> <p>1 S. WISPELWEY</p> <p>2 August 12, 2017, were to create a loving, prayerful,</p> <p>3 caring presence in the streets and a strong visual</p> <p>4 statement of who we were and represented by wearing</p> <p>5 our clerical garb.</p> <p>6 Q. What part of creating a loving presence</p> <p>7 did joining your arms together and forming a line</p> <p>8 play?</p> <p>9 MS. PHILLIPS: Object to form.</p> <p>10 A. As best as I can answer that, joining our</p> <p>11 arms together is a sign, a visual symbol of our</p> <p>12 togetherness and unity as well as a practical way of</p> <p>13 making sure we did not get separated with a lot</p> <p>14 going on all around us.</p> <p>15 BY MR. KOLENICH:</p> <p>16 Q. Reverend, I'm showing you what I have as</p> <p>17 Exhibit 7.</p> <p>18 (Exhibit 7 was marked.)</p> <p>19 BY MR. KOLENICH:</p> <p>20 Q. Do you recognize this to be a Facebook</p> <p>21 post?</p> <p>22 A. It looks like a Facebook post, yes.</p> <p>23 MS. PHILLIPS: Jim, are you able to scroll</p> <p>24 up so we can see, you know, who posted it or the</p> <p>25 handle for Facebook?</p>	<p style="text-align: right;">Page 149</p> <p>1 S. WISPELWEY</p> <p>2 MR. KOLENICH: Yeah, I think I can. Give</p> <p>3 me a second. There we go.</p> <p>4 Can you see it?</p> <p>5 MS. PHILLIPS: Yes.</p> <p>6 BY MR. KOLENICH:</p> <p>7 Q. All right. So Reverend Boone Rising is</p> <p>8 not your account; is that correct?</p> <p>9 A. That's correct.</p> <p>10 Q. Do you know whose account -- or are you</p> <p>11 familiar with this account?</p> <p>12 A. I do not know who Boone Rising is, no.</p> <p>13 Q. I'm trying to highlight a portion here.</p> <p>14 I'm failing, of course.</p> <p>15 Do you see the highlighted portion stating</p> <p>16 "from a clergy person in Charlottesville"?</p> <p>17 A. Yes.</p> <p>18 Q. Can you read the text below that all the</p> <p>19 way to the bottom.</p> <p>20 A. Sure. As I see it, it reads: "A note on</p> <p>21 the antifa. They are the reason Richard Spencer did</p> <p>22 not speak today. They are the reason the Unite the</p> <p>23 Right march didn't happen. They strategically used</p> <p>24 violent tactics to incite the Nazis asterisk to</p> <p>25 violence such that the governor declared a state of</p>

<p style="text-align: right;">Page 150</p> <p>1 S. WISPELWEY</p> <p>2 emergency before noon, before the 'Unite the Right'</p> <p>3 rally was scheduled to begin" --</p> <p>4 Q. I'm sorry to interrupt, Reverend. That is</p> <p>5 probably good enough.</p> <p>6 Do you recognize that quote as something</p> <p>7 that you said?</p> <p>8 A. No.</p> <p>9 Q. Very well. I've taken the exhibit down.</p> <p>10 Have you ever seen that quote before?</p> <p>11 A. No.</p> <p>12 Q. I'm sorry; your answer was no?</p> <p>13 A. Yeah, I'm sorry. No.</p> <p>14 Q. Do you agree with the sentiments expressed</p> <p>15 in the statement?</p> <p>16 A. I didn't read the entire statement.</p> <p>17 Q. Limiting ourselves to the portion you</p> <p>18 read.</p> <p>19 A. Is it possible to see it again? That was</p> <p>20 my first time.</p> <p>21 Q. Yes. Yes, it is. It might take me just a</p> <p>22 second.</p> <p>23 I believe the portion you read is here,</p> <p>24 highlighted.</p> <p>25 MS. PHILLIPS: Jim, what was the question</p>	<p style="text-align: right;">Page 151</p> <p>1 S. WISPELWEY</p> <p>2 again?</p> <p>3 MR. KOLENICH: Just does he agree with the</p> <p>4 sentiments expressed in this paragraph that he read.</p> <p>5 A. No, because this was not my experience or</p> <p>6 observation.</p> <p>7 BY MR. KOLENICH:</p> <p>8 Q. Okay. Thank you.</p> <p>9 Did you ever make the statement: "The</p> <p>10 antifascist group saved my life and the lives of a</p> <p>11 lot of clergy on Saturday"?</p> <p>12 A. I don't remember if I made that exact</p> <p>13 statement.</p> <p>14 Q. Do you think it's possible you made that</p> <p>15 statement or something similar?</p> <p>16 A. It is possible I said something similar,</p> <p>17 yes.</p> <p>18 Q. So you agree that antifascist groups saved</p> <p>19 your life on Saturday, August -- I'm sorry,</p> <p>20 August 12, 2017?</p> <p>21 MS. PHILLIPS: Object to form.</p> <p>22 A. I do believe that other counterprotesters</p> <p>23 bodily protected clergy, especially at a moment when</p> <p>24 I feared for my life, yes.</p> <p>25</p>
<p style="text-align: right;">Page 152</p> <p>1 S. WISPELWEY</p> <p>2 BY MR. KOLENICH:</p> <p>3 Q. When did you fear for your life on</p> <p>4 August 12, 2017?</p> <p>5 A. There were many instances. A couple</p> <p>6 specific examples were when League of the South and</p> <p>7 National Socialist Movement marched up Market Street</p> <p>8 after the other group of white supremacists had</p> <p>9 already assaulted and broken through our line. I</p> <p>10 observed a lot of weapons carried by white</p> <p>11 supremacists which caused me to fear for my safety.</p> <p>12 At the scene of the car attack, there was</p> <p>13 a lot of confusion about what had happened and if it</p> <p>14 was going to continue to happen, and seeing the</p> <p>15 bodily cost and injuries made me fear for my safety</p> <p>16 in the midst of that turmoil.</p> <p>17 Later that evening, I found myself alone</p> <p>18 downtown and feared for my safety as well. And</p> <p>19 there are several other instances, if we documented</p> <p>20 the whole day.</p> <p>21 I also feared for my safety before we were</p> <p>22 assaulted when groups -- when members of the group</p> <p>23 that broke through us shouted out "Let's kill the</p> <p>24 faggot priests," and I understood that to be</p> <p>25 directed at me and my group.</p>	<p style="text-align: right;">Page 153</p> <p>1 S. WISPELWEY</p> <p>2 Q. You testified that groups shouted out</p> <p>3 "Let's kill the faggot priests"?</p> <p>4 A. Yes.</p> <p>5 Q. Could you identify any of the groups or</p> <p>6 any individuals within those groups?</p> <p>7 A. I don't know that I could identify any</p> <p>8 individuals. Some were carrying flags that I</p> <p>9 understand to be part of the group Identity Evropa.</p> <p>10 Q. Could you describe those individuals any</p> <p>11 further other than the flag they were carrying?</p> <p>12 MS. PHILLIPS: Object to form.</p> <p>13 A. The majority of them were wearing polo</p> <p>14 shirts that were light colored, and they were</p> <p>15 carrying shields and sticks.</p> <p>16 BY MR. KOLENICH:</p> <p>17 Q. Could you describe the shields?</p> <p>18 A. Yeah. As I recall, they were 2.5, 3 feet</p> <p>19 wide and painted white primarily.</p> <p>20 Q. Did they have any words on them?</p> <p>21 A. I don't recall. Some had markings.</p> <p>22 Q. Do you recall if they had symbols on these</p> <p>23 shields?</p> <p>24 A. Yes, I believe so.</p> <p>25 MS. PHILLIPS: Objection to form.</p>

<p style="text-align: right;">Page 154</p> <p>1 S. WISPELWEY</p> <p>2 BY MR. KOLENICH:</p> <p>3 Q. Could you describe the symbols?</p> <p>4 A. The only ones I can recall at this point</p> <p>5 were sort of in a cross fashion or "X" fashion.</p> <p>6 Q. What color were the symbols?</p> <p>7 A. I recall seeing white shields with black</p> <p>8 crosses or Xs on them around that point in time.</p> <p>9 Q. Thank you.</p> <p>10 Have you ever used the phrase "community</p> <p>11 defense tools"?</p> <p>12 A. I believe so.</p> <p>13 Q. What did you mean by "community defense</p> <p>14 tools"?</p> <p>15 A. I'm not sure. I would probably need a bit</p> <p>16 more context for when or where I used it.</p> <p>17 Q. I'm going to show Exhibit 8.</p> <p>18 (Exhibit 8 was marked.)</p> <p>19 BY MR. KOLENICH:</p> <p>20 Q. Can you see the article I've got on the</p> <p>21 screen?</p> <p>22 A. Yes.</p> <p>23 MS. PHILLIPS: Jim, again, are you able to</p> <p>24 scroll up so we can see the title of the article and</p> <p>25 the date?</p>	<p style="text-align: right;">Page 155</p> <p>1 S. WISPELWEY</p> <p>2 MR. KOLENICH: I am. I've got to get my</p> <p>3 bearings here. I'm down a machine here. I can't</p> <p>4 tell what you guys are looking at. Sorry.</p> <p>5 MS. PHILLIPS: Okay.</p> <p>6 MR. KOLENICH: Okay. Here we go. All</p> <p>7 right. I believe I'm at the top.</p> <p>8 BY MR. KOLENICH:</p> <p>9 Q. Can you see the top of the article,</p> <p>10 Reverend?</p> <p>11 A. Yes.</p> <p>12 Q. Does this appear to be the article in the</p> <p>13 website Slate.com?</p> <p>14 A. Yes.</p> <p>15 Q. And can you see the date appears to be</p> <p>16 August 2017.</p> <p>17 A. Yes.</p> <p>18 Q. I'm going to scroll back to the quote I</p> <p>19 was going to ask about.</p> <p>20 Highlighting this paragraph, do you</p> <p>21 recognize that as something you told the reporter?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And can you -- does this refresh</p> <p>24 your recollection as to what you meant by "community</p> <p>25 defense tools"?</p>
<p style="text-align: right;">Page 156</p> <p>1 S. WISPELWEY</p> <p>2 A. Yes. This appears to be a statement I</p> <p>3 provided the author, Dahlia Lithwick, with -- or at</p> <p>4 least an edited version of it.</p> <p>5 Q. Okay. What did you mean by "community</p> <p>6 defense tools" when you were talking to the</p> <p>7 reporter?</p> <p>8 A. I'm rereading it for a second.</p> <p>9 In this context, as I recall -- as I</p> <p>10 mentioned and testified earlier, I don't know what</p> <p>11 all different counterprotesters brought, but I meant</p> <p>12 that what counterprotesters to the white</p> <p>13 supremacists may have brought was in service of</p> <p>14 self-defense against white supremacist violence.</p> <p>15 Q. Okay. So by "may have brought in service</p> <p>16 of self-defense," do you mean that anything they</p> <p>17 brought whatsoever, as long as they were opposing</p> <p>18 white supremacists, would be a community defense</p> <p>19 tool?</p> <p>20 MS. PHILLIPS: Object to form.</p> <p>21 A. In this context, yes. What</p> <p>22 counterprotesters may have brought was in</p> <p>23 self-defense against the violence that the white</p> <p>24 supremacists aimed and planned and did instigate, as</p> <p>25 stated further down.</p>	<p style="text-align: right;">Page 157</p> <p>1 S. WISPELWEY</p> <p>2 BY MR. KOLENICH:</p> <p>3 Q. Sorry, I messed up the screen. There we</p> <p>4 are.</p> <p>5 All right. I will take this exhibit down.</p> <p>6 So the sticks and signs and other tools</p> <p>7 that the white supremacists brought, those were not</p> <p>8 self-defensive tools?</p> <p>9 MS. PHILLIPS: Object to form.</p> <p>10 A. I don't know about the entirety of what</p> <p>11 the white supremacists brought. I saw sticks and</p> <p>12 poles and batons used by white supremacists to</p> <p>13 attack counterprotesters is what I saw.</p> <p>14 BY MR. KOLENICH:</p> <p>15 Q. These attacks that you saw, did you see</p> <p>16 the very beginnings of the altercations?</p> <p>17 A. I saw the beginning of one altercation</p> <p>18 when a large group of white supremacists came down</p> <p>19 Market Street, paused, and charged at a group of</p> <p>20 counterprotesters in attacking them, including the</p> <p>21 attack on our clergy group on the steps.</p> <p>22 Q. All right. So this particular incident is</p> <p>23 what you have described before, when the persons</p> <p>24 pushed into the clergy group?</p> <p>25 MS. PHILLIPS: Object to form.</p>

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1 S. WISPELWEY
2 Go ahead.
3 A. That's the particular incident I was
4 referring to there, yes.
5 BY MR. KOLENICH:
6 Q. How many other incidents of violence did
7 you witness on August 12, 2017?
8 A. I don't know the exact number.
9 MS. PHILLIPS: Object to form.
10 Go ahead.
11 THE DEPONENT: Sorry.
12 A. I don't know the exact number. I saw
13 additional acts of violence of white supremacists
14 beating counterprotesters with their hands when our
15 clergy group came back out from Escafé after the --
16 whatever it was, unlawful assembly had been declared
17 and groups of people were in the streets.
18 BY MR. KOLENICH:
19 Q. Okay. So you're unable to estimate how
20 many different acts of violence you witnessed on
21 August 12, 2017?
22 A. It would be very hard to estimate a
23 ballpark number. There was a lot of turmoil.
24 Q. The turmoil you're discussing, was that
25 before an unlawful assembly was declared or after or

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1 S. WISPELWEY
2 counterprotesters?
3 A. Yes. What I observed directly was that
4 there was a line of counterprotesters on Market
5 Street standing still, and League of the South and
6 National Socialist Movement, which I'm designating
7 based on the flags they were carrying and so on,
8 charged at them.
9 Q. Okay. I'm going to show you Exhibit 9
10 maybe.
11 Can you see the photo that I've marked as
12 Exhibit 9?
13 (Exhibit 9 was marked.)
14 A. Yes.
15 BY MR. KOLENICH:
16 Q. Do you recognize this as a scene from
17 Emancipation Park on August 12, 2017?
18 A. I don't because I don't see any landmarks
19 that I recognize, just people.
20 Q. Limiting ourselves, then, to the people,
21 would you say there are any white supremacists in
22 this picture?
23 MS. PHILLIPS: Object to form.
24 A. It's hard to say because I don't know who
25 all these people are.

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1 S. WISPELWEY
2 part before/part after?
3 MS. PHILLIPS: Object to form.
4 A. Part before and part after.
5 BY MR. KOLENICH:
6 Q. Would you say there was more turmoil
7 before or after the unlawful assembly was declared?
8 A. I can only speak to what I saw
9 specifically. It took different forms. I would say
10 there was more turmoil before.
11 Q. Okay. And the turmoil that you witnessed,
12 were you able to identify any individuals that you
13 recognized being involved in the turmoil?
14 A. No.
15 Q. Were you able to recognize any groups that
16 were involved in the turmoil?
17 A. Yes. Specifically, League of the South
18 and the National Socialist Movement were part of
19 that group of white supremacists I saw attack
20 counterprotesters.
21 Q. And it's your testimony that they
22 initiated attacks on counterprotesters who were --
23 withdrawn.
24 It's your testimony that they -- those two
25 groups initiated attacks on peaceful

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1 S. WISPELWEY
2 BY MR. KOLENICH:
3 Q. Can you see my highlighter on the screen?
4 A. Yes.
5 Q. Limiting ourselves to this individual I'm
6 highlighting, does he appear to be a white
7 supremacist?
8 MS. PHILLIPS: Object to form.
9 A. From what I can see on my computer screen,
10 all I see is an individual with a helmet, backpack,
11 and a T-shirt. So I can't say who that person is or
12 how they associate.
13 BY MR. KOLENICH:
14 Q. Fair enough.
15 I'm now highlighting an individual who
16 appears to be wearing pink sunglasses.
17 Do you see that person?
18 A. Yes.
19 Q. Does he appear to you to be a white
20 supremacist or a counterprotester?
21 MS. PHILLIPS: Object to form.
22 A. For this, I'll have to repeat my similar
23 question. I just don't have any knowledge or
24 context of what's going on or where this is, so I
25 can't say, and I don't see any labels or anything.

<p style="text-align: right;">Page 162</p> <p>1 S. WISPELWEY</p> <p>2 BY MR. KOLENICH:</p> <p>3 Q. Okay. So there's nothing in this picture</p> <p>4 that would allow you to tell who is a white</p> <p>5 supremacist or a counterprotester?</p> <p>6 A. That's correct. I'm not sure when or</p> <p>7 where this picture is taking place.</p> <p>8 Q. Fair enough. Taking the exhibit down.</p> <p>9 Going to show you Exhibit 10.</p> <p>10 (Exhibit 10 was marked.)</p> <p>11 BY MR. KOLENICH:</p> <p>12 Q. Do you recognize this as from your Twitter</p> <p>13 account?</p> <p>14 A. Yes. It appears that this is something</p> <p>15 that I tweeted.</p> <p>16 Q. The tweet seems to reference the phrase</p> <p>17 "diversity of tactics."</p> <p>18 Do you agree?</p> <p>19 A. Yes.</p> <p>20 Q. What did you mean by "diversity of</p> <p>21 tactics" in this tweet?</p> <p>22 A. I'm not entirely sure. It looks to be a</p> <p>23 reply to a preexisting Twitter conversation. So</p> <p>24 just with the context in front of me as I read it,</p> <p>25 it appears that I am welcoming a unified outcome</p>	<p style="text-align: right;">Page 163</p> <p>1 S. WISPELWEY</p> <p>2 based on a diversity of tactics.</p> <p>3 Q. And understanding that you're not able to</p> <p>4 see the rest of the Twitter conversation, do you</p> <p>5 recall what you meant by "unified outcome"?</p> <p>6 A. I do not.</p> <p>7 Q. Further down in the tweet, there's the</p> <p>8 phrase "TA strike."</p> <p>9 Do you know what that means?</p> <p>10 A. I don't remember what that means.</p> <p>11 Q. And "using their energies to leverage</p> <p>12 any/all power and influence."</p> <p>13 Do you -- do you know what that phrase</p> <p>14 means?</p> <p>15 A. It's really hard, if not impossible, for</p> <p>16 me to say without the larger context of what was</p> <p>17 going on in what appears to be December of 2018 that</p> <p>18 I was replying to.</p> <p>19 Q. All right. So it may mean different</p> <p>20 things depending on what was being discussed in the</p> <p>21 Twitter conversation?</p> <p>22 A. Yes.</p> <p>23 Q. Is it possible it meant the use of</p> <p>24 violence?</p> <p>25 MS. PHILLIPS: Object to form.</p>
<p style="text-align: right;">Page 164</p> <p>1 S. WISPELWEY</p> <p>2 A. I think that's impossible for me to say</p> <p>3 because I'm not -- I don't know what "TA strike" is</p> <p>4 referring to.</p> <p>5 BY MR. KOLENICH:</p> <p>6 Q. All right. So you can't say, just based</p> <p>7 on what's on the screen, whether you were talking</p> <p>8 about an acceptable use of violence or not?</p> <p>9 A. I do not believe the use of violence is</p> <p>10 acceptable in protests, if that's what this is even</p> <p>11 referring to, or other efforts.</p> <p>12 Q. Are there any circumstances where a use of</p> <p>13 physical violence is acceptable?</p> <p>14 A. I do not believe in physical violence in</p> <p>15 any circumstances.</p> <p>16 Q. Is it permissible to use violence to</p> <p>17 defend your family?</p> <p>18 MS. PHILLIPS: Objection. Asked and</p> <p>19 answered.</p> <p>20 A. I believe that physical violence is not</p> <p>21 acceptable in any circumstances. I believe in</p> <p>22 people's right to self-defense.</p> <p>23 BY MR. KOLENICH:</p> <p>24 Q. So if I understand you, you mean that</p> <p>25 physical violence is not acceptable, even in</p>	<p style="text-align: right;">Page 165</p> <p>1 S. WISPELWEY</p> <p>2 self-defense?</p> <p>3 MS. PHILLIPS: Object to form.</p> <p>4 A. I may need a little more clarity on the</p> <p>5 question.</p> <p>6 I do not believe in violence, and I</p> <p>7 believe the -- as something for someone to do to</p> <p>8 another person, and I do believe in a right to</p> <p>9 self-defense in the question asked.</p> <p>10 BY MR. KOLENICH:</p> <p>11 Q. I'm going to pull down the exhibit.</p> <p>12 How would you go about engaging in</p> <p>13 self-defense without the use of some violence?</p> <p>14 MS. PHILLIPS: Object to form.</p> <p>15 A. I'm not sure I understand the question</p> <p>16 without a more specific context.</p> <p>17 And, as I understand it, it assumes that</p> <p>18 self-defense requires violence, but I'm not sure if</p> <p>19 that's the case.</p> <p>20 BY MR. KOLENICH:</p> <p>21 Q. I don't mean to assert that self-defense</p> <p>22 requires violence; rather, I'm just trying to</p> <p>23 explore what you mean by "self-defense."</p> <p>24 Let me posit an example and see if that</p> <p>25 helps us. If you go to the store with your -- I'm</p>

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1 S. WISPELWEY
2 sorry, Reverend, do you have a wife and children?
3 A. Yes.
4 Q. How old are your children?
5 A. I have one daughter who is 10 years old.
6 Q. Okay. So you go to the store, let's say
7 the grocery store, with your wife and daughter, and
8 Jason Kessler jumps out and begins attacking your
9 wife. He has knocked her to the ground, he is
10 punching her in the head.
11 What are you permitted to do to defend
12 your wife?
13 MS. PHILLIPS: Object to form.
14 Calls for speculation.
15 A. If I'm speculating, when Jason Kessler
16 attacks my wife, I personally believe in putting my
17 body between the attacker and the victim. I mean,
18 in this very hypothetical scenario, it would depend
19 on the degree of harm being done or committed
20 already whether my -- the victim needed bodily
21 protection or not, but I would put my body in
22 between the attacker and the victim.
23 BY MR. KOLENICH:
24 Q. So it's your testimony that you would not
25 push/hit, attempt to disarm Mr. Kessler?

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1 S. WISPELWEY
2 scenarios where there's an active shooter, where
3 there are violent actors, where there are, you know,
4 confrontations, and simulating the different roles
5 in their scenarios to mitigate harm towards others
6 and minimize damage to one's own body.
7 So specifically, that looks like a lot of
8 different things depending on the simulation.
9 BY MR. KOLENICH:
10 Q. Okay. Let's start with an active shooter.
11 What would your training have you do in
12 the face of an active shooter?
13 MS. PHILLIPS: Object to form.
14 Go ahead.
15 A. As I recall in the active shooter training
16 simulations, we simulated being -- like singing and
17 part of a march with arms linked, and it simulated
18 that there's an active shooter, and so the goal is
19 to stay low to the ground, zigzag and find cover,
20 and check in with others, as able.
21 BY MR. KOLENICH:
22 Q. So part of your training is not to call
23 the police or otherwise summon help?
24 MS. PHILLIPS: Object to form.
25 A. No. Seeking help, that is just in the --

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1 S. WISPELWEY
2 You would simply put yourself between him
3 and his victim?
4 MS. PHILLIPS: Object to form.
5 A. Speaking hypothetically, that's what I
6 believe in and have trained to do, is to put my body
7 in between to try to stop the act of violence.
8 BY MR. KOLENICH:
9 Q. Okay. Thank you.
10 Leaving this example in the realm of
11 hypotheticals, you mention what you've trained to
12 do.
13 How have you trained to engage in these
14 self-defense activities?
15 A. I wouldn't classify what I've trained to
16 do as self-defense. I would actually call it
17 de-escalation techniques when violence is being
18 committed. I've trained in different contexts with
19 different organizations on how to bring the spirit
20 of calm and resolve to those kind of circumstances.
21 Q. Can you be more specific as to how you
22 trained in this de-escalation process?
23 MS. PHILLIPS: Object to form.
24 A. Sure. Depending on the context, we have
25 simulated with groups I've worked with hypothetical

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1 S. WISPELWEY
2 when, literally, there's an active shooter, what to
3 do first and see what's possible for calling for
4 help once the extreme threat is done with. I think,
5 you know, I don't know that we simulated calling
6 9-1-1, or anything.
7 The main simulation was just how to get to
8 safety immediately. We didn't focus on processes
9 after that.
10 BY MR. KOLENICH:
11 Q. Okay. So the training did not include
12 identifying when it would be a safe time to call
13 9-1-1?
14 A. That's correct. These were more just
15 about -- in times where I've done these kinds of
16 trainings, just about focusing on bodily safety of
17 yourself and others.
18 Q. Did I understand you to testify that part
19 of your simulation was walking arm in arm?
20 A. Yes. I recall times where we simulated
21 staying connected, linked arm in arm.
22 Q. Did you deploy that same tactic on
23 August 12, 2017, at Emancipation Park?
24 MS. PHILLIPS: Object to form.
25 A. Yes.

<p style="text-align: right;">Page 170</p> <p>1 S. WISPELWEY</p> <p>2 BY MR. KOLENICH:</p> <p>3 Q. So did you train for attendance at any</p> <p>4 white nationalist political rally -- I'm sorry, a</p> <p>5 white supremacist -- white supremacist political</p> <p>6 rally?</p> <p>7 MS. PHILLIPS: Object to form. Object to</p> <p>8 form.</p> <p>9 Go ahead.</p> <p>10 A. I'm sorry. I'm not sure I understand the</p> <p>11 question.</p> <p>12 BY MR. KOLENICH:</p> <p>13 Q. Did you engage in training for how you</p> <p>14 were going to conduct yourself at the Unite the</p> <p>15 Right event on August 12, 2017, in Charlottesville,</p> <p>16 Virginia?</p> <p>17 A. Yes.</p> <p>18 Q. And part of that training was that you</p> <p>19 were going to link arms?</p> <p>20 A. Yes.</p> <p>21 Q. Did you throw yourself or put your body --</p> <p>22 I'm sorry, withdrawn.</p> <p>23 Did you put your body between any white</p> <p>24 supremacists and any of their victims on</p> <p>25 August 12, 2017?</p>	<p style="text-align: right;">Page 171</p> <p>1 S. WISPELWEY</p> <p>2 A. Yes.</p> <p>3 Q. Do you recall specifically when you did</p> <p>4 that?</p> <p>5 A. Yes. I don't recall the time exactly. It</p> <p>6 was after the unlawful assembly or state of</p> <p>7 emergency, one of the other had been declared, and</p> <p>8 there were attacks going on in the street. And when</p> <p>9 our clergy group came back into the street, I saw a</p> <p>10 counterprotester being beaten physically, and me and</p> <p>11 another clergy member used our bodies to approach</p> <p>12 and try to de-escalate that.</p> <p>13 Q. Could you be specific as to how you</p> <p>14 approached and tried to de-escalate?</p> <p>15 A. Yeah. We walked up, as I recall, and</p> <p>16 attended to the person being beaten, and the person</p> <p>17 beating them pulled away and kept moving down Market</p> <p>18 Street. By saying, "Are you okay? Do you need</p> <p>19 something," and putting our bodies in the way, and</p> <p>20 the beating stopped.</p> <p>21 Q. So by putting your bodies in the way, do</p> <p>22 you mean you stood between the attacker and the</p> <p>23 victim, or did you lay down on top of the victim, or</p> <p>24 how did that work?</p> <p>25 A. By standing and crouching next to the</p>
<p style="text-align: right;">Page 172</p> <p>1 S. WISPELWEY</p> <p>2 victim. It was a tangle of body parts, so it was</p> <p>3 impossible to get in between, but just by</p> <p>4 approaching and saying, "Are you okay?" and coming</p> <p>5 close, and helping them off the ground, the attacker</p> <p>6 stopped.</p> <p>7 Q. All right. This was after the unlawful</p> <p>8 assembly was declared?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. Were there any other times you can</p> <p>11 remember where you engaged in this de-escalation</p> <p>12 technique on August 12, 2017?</p> <p>13 A. I don't recall any times that were that</p> <p>14 literally physically close. Our group of clergy</p> <p>15 moved through the streets at that time, bringing a</p> <p>16 watchful presence to potentially volatile situations</p> <p>17 in hopes of creating calm and de-escalation of</p> <p>18 potential volatility.</p> <p>19 Q. All right. So, to be clear, there were no</p> <p>20 actual additional incidents where you placed</p> <p>21 yourself between an attacker and his victim?</p> <p>22 A. That's correct.</p> <p>23 Q. Were there any other incidents that you</p> <p>24 would classify as de-escalation, even though you did</p> <p>25 not place your body between an attacker and a</p>	<p style="text-align: right;">Page 173</p> <p>1 S. WISPELWEY</p> <p>2 victim?</p> <p>3 A. Yes.</p> <p>4 Q. How many such incidents were there?</p> <p>5 A. From my point of view, our entire presence</p> <p>6 as visible clergy and people of faith in the streets</p> <p>7 was a de-escalation tactic. By creating a loving,</p> <p>8 singing presence, our hope and idea is that we would</p> <p>9 mitigate harm. So everywhere we were, that would</p> <p>10 prayerfully be the outcome.</p> <p>11 Q. Did you say you were singing -- I'm sorry.</p> <p>12 Go ahead.</p> <p>13 MS. PHILLIPS: No, no. Go ahead. I was</p> <p>14 just going to ask you if it's a good time for a</p> <p>15 break at some point soon, but I didn't mean to</p> <p>16 interrupt your question.</p> <p>17 MR. KOLENICH: That's okay. That's all</p> <p>18 right. We'll come back to it. We can -- what do</p> <p>19 you want to take? Five? Ten minutes?</p> <p>20 MS. PHILLIPS: Is that okay, Seth?</p> <p>21 THE DEPONENT: Yeah, I'm good at the</p> <p>22 moment if we want to finish a certain thread.</p> <p>23 MS. PHILLIPS: Okay. Go ahead, Jim.</p> <p>24 BY MR. KOLENICH:</p> <p>25 Q. Okay. So, Reverend, did I understand you</p>

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<p>1 S. WISPELWEY</p> <p>2 to say you were singing?</p> <p>3 A. Yes.</p> <p>4 Q. What were you singing, if you remember?</p> <p>5 A. I specifically remember that morning</p> <p>6 singing "This Little Light of Mine" and another</p> <p>7 gospel song called "Over my Head."</p> <p>8 Q. All right. So did you chant along with</p> <p>9 the counterprotester group at any point?</p> <p>10 MS. PHILLIPS: Object to form.</p> <p>11 A. No. We led our own chants.</p> <p>12 BY MR. KOLENICH:</p> <p>13 Q. All right. So you never said "Whose</p> <p>14 streets? Our streets"?</p> <p>15 A. I don't recall chanting that on</p> <p>16 August 12, 2017.</p> <p>17 Q. And on August 12, 2017, did you chant</p> <p>18 "Black Lives Matter"?</p> <p>19 A. I don't recall.</p> <p>20 Q. Is it possible you chanted "Black Lives</p> <p>21 Matter"?</p> <p>22 A. It is possible.</p> <p>23 Q. Is it possible you chanted, "Whose</p> <p>24 streets? Our streets"?</p> <p>25 A. I really don't have a recollection of</p>	<p>1 S. WISPELWEY</p> <p>2 saying that. I don't believe so.</p> <p>3 Q. At the various times that you de-escalated</p> <p>4 a situation, could you identify any of the people</p> <p>5 that you perceived as an attacker?</p> <p>6 MS. PHILLIPS: Object to form.</p> <p>7 A. No.</p> <p>8 BY MR. KOLENICH:</p> <p>9 Q. Can you describe them at all?</p> <p>10 MS. PHILLIPS: Object to form.</p> <p>11 A. Yes. There were many people I'd identify</p> <p>12 as an attacker. Making a blanket description, I</p> <p>13 could only say that they were white, or</p> <p>14 white-identifying, and male.</p> <p>15 BY MR. KOLENICH:</p> <p>16 Q. All right. Let's focus on the first</p> <p>17 incident you described, where you placed your body</p> <p>18 as best you could between an attacker and a victim.</p> <p>19 Do you recall testifying about that</p> <p>20 incident?</p> <p>21 A. Yes.</p> <p>22 Q. Could you describe the attacker in that</p> <p>23 incident in any detail?</p> <p>24 A. Just that it was a white male.</p> <p>25 Q. Do you remember what he was wearing?</p>
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<p>1 S. WISPELWEY</p> <p>2 A. I do not.</p> <p>3 Q. Do you remember if he was carrying any</p> <p>4 sort of object?</p> <p>5 A. I do not.</p> <p>6 Q. Can you recall -- well, withdrawn.</p> <p>7 Did you see any persons with what you</p> <p>8 perceived as serious injuries on August 12, 2017?</p> <p>9 A. Yes.</p> <p>10 Q. How many persons did you see seriously</p> <p>11 injured on August 12, 2017?</p> <p>12 MS. PHILLIPS: Object to form.</p> <p>13 A. That's difficult to say. I'd say at least</p> <p>14 about a dozen.</p> <p>15 BY MR. KOLENICH:</p> <p>16 Q. Okay. And were each of these individuals</p> <p>17 counterprotesters, as best you could tell?</p> <p>18 A. Yes.</p> <p>19 Q. You did not see any white supremacists</p> <p>20 injured?</p> <p>21 A. No, I did not.</p> <p>22 Q. Did you assist any of the injured persons</p> <p>23 that you saw on August 12, 2017?</p> <p>24 A. Yes.</p> <p>25 Q. How did you assist them?</p>	<p>1 S. WISPELWEY</p> <p>2 A. In various instances, I comforted people,</p> <p>3 helped calm them down, prayed with them, and got</p> <p>4 them connected to EMTs or to the hospital themselves</p> <p>5 and facilitated rides, and that sort of thing.</p> <p>6 Q. All right. How did you connect any of</p> <p>7 them to EMTs?</p> <p>8 A. In that particular example, it was -- I</p> <p>9 was thinking of the scene of the car attack, and</p> <p>10 there were EMTs present when I needed to connect a</p> <p>11 couple people to professional medical attention.</p> <p>12 Q. Did you witness the car attack?</p> <p>13 A. No.</p> <p>14 Q. How did you -- withdrawn.</p> <p>15 When did you arrive near enough to the</p> <p>16 scene of the car attack to assist people with</p> <p>17 getting EMTs?</p> <p>18 MS. PHILLIPS: Objection. Form.</p> <p>19 A. I arrived within the span of a few</p> <p>20 minutes, I would say, to the scene of the car attack</p> <p>21 from when it occurred.</p> <p>22 BY MR. KOLENICH:</p> <p>23 Q. Jessica, I think he talked over you. Was</p> <p>24 that another objection to form?</p> <p>25 MS. PHILLIPS: Yeah, it's on the record.</p>

<p style="text-align: right;">Page 178</p> <p>1 S. WISPELWEY</p> <p>2 I see it.</p> <p>3 MR. KOLENICH: Okay. That's right. You</p> <p>4 have the live feed, I see. I don't.</p> <p>5 BY MR. KOLENICH:</p> <p>6 Q. Okay. Reverend, you said "get rides to</p> <p>7 the hospital"; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. How did you get people rides to the</p> <p>10 hospital if it wasn't through EMTs?</p> <p>11 A. In addition to the most grievously injured</p> <p>12 by the car attack, there were many other less</p> <p>13 extreme injuries, huge contusions, abrasions and</p> <p>14 that sort of thing, people going into shock, and</p> <p>15 thanks to our Congregate network, I was able to call</p> <p>16 a couple colleagues of mine at a nearby church where</p> <p>17 they were providing safe space for people.</p> <p>18 And as luck would have it, a couple of</p> <p>19 them had parked at the Water Street garage, and so</p> <p>20 they walked across the downtown mall and got their</p> <p>21 car and brought additional people after enduring the</p> <p>22 ambulances tending to the most grievously injured.</p> <p>23 Q. Were all of these injured people injured</p> <p>24 in the car attack?</p> <p>25 A. That's my understanding, yes.</p>	<p style="text-align: right;">Page 179</p> <p>1 S. WISPELWEY</p> <p>2 Q. You testified earlier about your own</p> <p>3 damages.</p> <p>4 Do you recall doing that?</p> <p>5 A. Yes.</p> <p>6 Q. If I understood correctly, you, yourself,</p> <p>7 were not physically injured at any point on</p> <p>8 August 12, 2017?</p> <p>9 A. Correct.</p> <p>10 Q. But your testimony was that you had</p> <p>11 flashbacks and other emotional difficulties; is that</p> <p>12 accurate?</p> <p>13 MS. PHILLIPS: Object to form.</p> <p>14 A. Broadly speaking, yes.</p> <p>15 BY MR. KOLENICH:</p> <p>16 Q. Is there any other damages you sustained</p> <p>17 on August 12, 2017?</p> <p>18 A. Yes.</p> <p>19 Q. What were those?</p> <p>20 A. This won't be a comprehensive list. I</p> <p>21 experienced night terrors, hypervigilance,</p> <p>22 immobility, chest pains and difficulty breathing</p> <p>23 with various outcomes including the inability to</p> <p>24 socialize or go out in public or be in crowds, the</p> <p>25 inability to continue my full-time work, difficulty</p>
<p style="text-align: right;">Page 180</p> <p>1 S. WISPELWEY</p> <p>2 sleeping. And -- yeah, that's a variety of the</p> <p>3 symptoms and outcomes I can recall right now.</p> <p>4 Q. Reverend, how old are you?</p> <p>5 A. I'm currently 39 years old.</p> <p>6 Q. So you were about 36 on August 12, 2017?</p> <p>7 A. Correct.</p> <p>8 Q. Had you ever experienced chest pains prior</p> <p>9 to August 12, 2017?</p> <p>10 A. Yes. In the year 2000, I experienced a</p> <p>11 collapsed lung, and that hurt in my chest.</p> <p>12 Q. Thank you.</p> <p>13 Limiting ourselves to chest pains without</p> <p>14 some obvious cause, had you ever experienced that</p> <p>15 prior to August 12, 2017?</p> <p>16 A. No.</p> <p>17 Q. But since August 12, 2017, you've</p> <p>18 experienced chest pains that don't have an obvious</p> <p>19 physical cause?</p> <p>20 A. Correct.</p> <p>21 Q. Could you be more specific about the chest</p> <p>22 pains? Such as, are they on one particular side of</p> <p>23 your chest?</p> <p>24 A. No. When they come, I feel like a</p> <p>25 constriction and a burning under the sternum, and</p>	<p style="text-align: right;">Page 181</p> <p>1 S. WISPELWEY</p> <p>2 resulting in difficulty breathing, sort of like an</p> <p>3 ache as well and that sort of thing. Almost --</p> <p>4 (Overlapping speakers.)</p> <p>5 Q. How long after -- I'm sorry. Go ahead.</p> <p>6 A. Oh, go ahead. I just said like an</p> <p>7 internal cramp.</p> <p>8 Q. How long after August 12, 2017, was your</p> <p>9 first chest pain occurrence?</p> <p>10 A. I don't recall exactly when the first one</p> <p>11 was. I sought medical attention when they didn't</p> <p>12 dissipate, I believe, at the very beginning of 2018.</p> <p>13 Q. And when did you move to Tucson, Arizona?</p> <p>14 A. July of 2019.</p> <p>15 Q. Have you -- I'm sorry. Withdrawn.</p> <p>16 Have your symptoms ameliorated since you</p> <p>17 moved to Arizona?</p> <p>18 MS. PHILLIPS: Object to form.</p> <p>19 A. I still experience several of the</p> <p>20 symptoms, including hypervigilance, including night</p> <p>21 terrors. They are less frequent than in the year or</p> <p>22 two preceding. There have been incidences in the</p> <p>23 past year, yes.</p> <p>24 BY MR. KOLENICH:</p> <p>25 Q. What do you mean by "hypervigilance"?</p>

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2 A. I'm not a medical professional, though it

3 is an official term to describe what I would say is

4 an over-alertness, and inabilities to sit still, to

5 constantly check on the safety of one's

6 surroundings. It can manifest in different specific

7 ways, but being unable to relax and be calm, whether

8 in private or in public, because of a need to

9 constantly scan for potential threats.

10 Q. And you attribute this to the Unite the

11 Right event on August 12, 2017?

12 A. I do, yes.

13 Q. And you're treating with at least one

14 medical professional?

15 MS. PHILLIPS: Object to form.

16 A. Yes.

17 BY MR. KOLENICH:

18 Q. Does your medical professional agree that

19 your hypervigilance is attributed to

20 August 12, 2017?

21 A. Yes.

22 Q. Did the Alt-Right come to your home or

23 your place of work on -- I'm sorry. We were calling

24 them white supremacists. Withdrawn.

25 Did the white supremacists come to your

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2 Q. Did you recognize any of the individuals

3 who did not indicate they were there to go to

4 church?

5 A. I did not. They appeared to be, based on

6 what I had seen yesterday, dressed like Unite the

7 Right attendees.

8 Q. To be clear, about "yesterday," you mean

9 August 12, 2017?

10 A. Yes. Sorry. The day before. That's

11 correct.

12 Q. We all knew what you meant, but this is

13 getting typed, and we won't know when we go back to

14 read it.

15 All right. Reverend, you don't, of your

16 own personal knowledge, know anything about what

17 Jason Kessler did on August 11 and 12, 2017, do you?

18 MS. PHILLIPS: Object to form.

19 Go ahead.

20 A. I did see Jason Kessler at least once on

21 August 11 and 12, on the evening of the 11th.

22 BY MR. KOLENICH:

23 Q. What did you see him doing?

24 A. I saw Jason Kessler right nearby outside

25 St. Paul's Memorial Church with a group of attendees

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2 home or your place of work on August 12, 2017?

3 MS. PHILLIPS: Object to form.

4 Go ahead.

5 A. I'm not aware of whether they did or not

6 on August 12.

7 BY MR. KOLENICH:

8 Q. Did any white supremacists come to your

9 home or your place of work at any time prior to your

10 move to Arizona?

11 A. Yes. I recall on August 13, 2017, there

12 were men who appeared to be white supremacists

13 circling Sojourners United Church of Christ where I

14 and other parishioners were gathered. That caused

15 us to lock down those who were in the church until

16 they left. My place of work, for most of the

17 duration until the move to Tucson was my home. So I

18 don't believe white supremacists came to my home in

19 that time.

20 Q. The incident you just described on

21 August 13, 2017, what did you mean by "circling"?

22 A. There were individuals driving in cars

23 around the property, pulling onto the property, and

24 getting out, who did not indicate they were there to

25 go to church.

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2 of the torchlit rally, on the sidewalk, as I was

3 trying to leave the church with a few other faith

4 leaders.

5 Q. All right. And did you hear him say

6 anything?

7 A. No.

8 Q. Other than standing with the group of

9 persons holding torches, did you see him do

10 anything?

11 A. No. I was in my vehicle.

12 Q. Why did you sue Jason Kessler?

13 MS. PHILLIPS: Object to form.

14 A. Is in reference to Sines v. Kessler case?

15 BY MR. KOLENICH:

16 Q. Yes.

17 A. I elected to be a part of this case

18 against Jason Kessler and other organizers and

19 attendees of Unite the Right, because I understood

20 them to have organized and facilitated violence

21 against our community, and believe there should be

22 some accountability for that.

23 Q. Why did you understand Jason Kessler to

24 have facilitated violence against the

25 Charlottesville community?

<p style="text-align: right;">Page 186</p> <p>1 S. WISPELWEY</p> <p>2 Ms. PHILLIPS: Object to form.</p> <p>3 Go ahead.</p> <p>4 A. I'm not familiar, aware of all the</p> <p>5 organizing and actions of Jason Kessler that summer</p> <p>6 and on August 11 and 12, but I know him to be the</p> <p>7 primary organizer and convener of Unite the Right,</p> <p>8 and that the organizers and prospective attendees</p> <p>9 planned and did bring violence to our community.</p> <p>10 Q. What do you know about the planning of the</p> <p>11 Unite the Right event on August 12, 2017?</p> <p>12 MS. PHILLIPS: Object to form.</p> <p>13 A. I know a good bit about the planning,</p> <p>14 based on the presentation the community members</p> <p>15 shared to Charlottesville city council in July or so</p> <p>16 of that year, and in terms of further information</p> <p>17 that has been surfaced since, that a lot of planning</p> <p>18 happened in online chat rooms and groups.</p> <p>19 BY MR. KOLENICH:</p> <p>20 Q. Have you reviewed the evidence uncovered</p> <p>21 in the discovery of this case?</p> <p>22 MS. PHILLIPS: Object to form.</p> <p>23 MR. KOLENICH: Yeah, it's a really bad</p> <p>24 question. I'm going to withdraw it and try again.</p> <p>25</p>	<p style="text-align: right;">Page 187</p> <p>1 S. WISPELWEY</p> <p>2 BY MR. KOLENICH:</p> <p>3 Q. Have you had an opportunity -- withdrawn.</p> <p>4 Have you had an opportunity to review any</p> <p>5 of the evidence that your lawyers have obtained</p> <p>6 during the litigation of this case?</p> <p>7 A. Yes.</p> <p>8 Q. And what evidence have you reviewed?</p> <p>9 A. It's hard to say specifically because</p> <p>10 there's a lot of evidence in this case. I've</p> <p>11 reviewed different things, including the evidence</p> <p>12 put forth in the original complaints, and I try to</p> <p>13 keep up with the ongoing litigation process.</p> <p>14 Q. Have you reviewed anything that you</p> <p>15 understood to be Discord posts?</p> <p>16 MS. PHILLIPS: Object to form.</p> <p>17 A. Yes, I believe so.</p> <p>18 BY MR. KOLENICH:</p> <p>19 Q. And did you see anything in those posts</p> <p>20 that indicated that Jason Kessler was responsible</p> <p>21 for your alleged injuries?</p> <p>22 A. I say yes.</p> <p>23 MS. PHILLIPS: Object to form.</p> <p>24 A. Oops, sorry. Yes.</p> <p>25</p>
<p style="text-align: right;">Page 188</p> <p>1 S. WISPELWEY</p> <p>2 BY MR. KOLENICH:</p> <p>3 Q. Can you specify what those items of</p> <p>4 evidence were?</p> <p>5 A. In terms of what I remember from Jason</p> <p>6 Kessler, specifically, in advance of Unite the</p> <p>7 Right, I remember viewing of videos, he was</p> <p>8 livestreaming from Charlottesville, drawing</p> <p>9 attention to our plans to hold a worship service,</p> <p>10 and asked other clergy to come.</p> <p>11 It was clear he was advertising this to</p> <p>12 perspective attendees of Unite the Right, other</p> <p>13 white supremacists, in what I recall of the little</p> <p>14 bit I've seen of the Discord logs, there were posts</p> <p>15 made drawing additional attention to the faith</p> <p>16 leaders and ourselves who had planned this, using</p> <p>17 racial derogatory language.</p> <p>18 Q. Fair enough. They used racial language</p> <p>19 toward and you other clergy?</p> <p>20 MS. PHILLIPS: Object to form.</p> <p>21 A. Yes. Yes. That's what I recall.</p> <p>22 BY MR. KOLENICH:</p> <p>23 Q. Reverend, do you identify as a white male?</p> <p>24 A. Yes.</p> <p>25 Q. What sort of racial language did they use</p>	<p style="text-align: right;">Page 189</p> <p>1 S. WISPELWEY</p> <p>2 toward you?</p> <p>3 A. I'm not aware of any racial language that</p> <p>4 was directed at me, specifically.</p> <p>5 Q. Okay. I must have misunderstood you. I</p> <p>6 thought you said -- or I thought you testified that</p> <p>7 the white supremacists, or Kessler in particular,</p> <p>8 used racialized language toward you and other</p> <p>9 clergy.</p> <p>10 Is that not what you meant?</p> <p>11 A. To be clear, and to specify, within these</p> <p>12 posts was racist language directed at particular</p> <p>13 individuals. I particularly remember racist</p> <p>14 language directed at Dr. Cornel West, for example,</p> <p>15 in the larger context of drawing attention to clergy</p> <p>16 efforts in Charlottesville.</p> <p>17 Q. Okay. So they directed racialized</p> <p>18 language at non-white members of the clergy. Is</p> <p>19 that accurate?</p> <p>20 A. According to my recollection, yes.</p> <p>21 Q. Yes. Limiting ourselves to your</p> <p>22 recollection of your review of the evidence, did</p> <p>23 they direct any insulting language of any kind</p> <p>24 toward you, personally?</p> <p>25 A. Yes. But I don't know what exact time</p>

<p style="text-align: right;">Page 190</p> <p>1 S. WISPELWEY</p> <p>2 period we're talking about, but, yes, I was on the</p> <p>3 receiving end of derogatory language.</p> <p>4 Q. Well, limiting ourselves to what you saw,</p> <p>5 and the evidence that your lawyers have obtained in</p> <p>6 litigating this case, did you see derogatory</p> <p>7 language directed toward you personally in that</p> <p>8 evidence?</p> <p>9 A. Yes. I don't remember the specifics, but</p> <p>10 I remember Jason Kessler in his videos broadcast to</p> <p>11 other white supremacists, calling me and my fellow</p> <p>12 organizers "fake clergy" and other terms, and I have</p> <p>13 not done in any way a comprehensive review of the</p> <p>14 Discord logs.</p> <p>15 Q. Understood. And you're not responsible</p> <p>16 for -- just trying to work with what you remember</p> <p>17 seeing.</p> <p>18 A. Yeah.</p> <p>19 Q. Do you have any memory of seeing anything</p> <p>20 that Nathan Damigo posted regarding you?</p> <p>21 A. I don't recall.</p> <p>22 Q. And why did you sue Nathan Damigo?</p> <p>23 A. Here, I would posit a similar version of</p> <p>24 my previous answer, which is that the organizers and</p> <p>25 attendees of Unite the Right carried out the</p>	<p style="text-align: right;">Page 191</p> <p>1 S. WISPELWEY</p> <p>2 violence that they planned in advance of Unite the</p> <p>3 Right, and I suffered for that, as did others, and</p> <p>4 I'm hopeful for some accountability in that regard.</p> <p>5 MR. KOLENICH: Can we go off the record</p> <p>6 just a quick second?</p> <p>7 MS. PHILLIPS: Yes. A break would be</p> <p>8 great. Can we take 10 minutes. Is that okay?</p> <p>9 MR. KOLENICH: Yeah.</p> <p>10 (Brief recess.)</p> <p>11 MR. KOLENICH: We're on the record.</p> <p>12 BY MR. KOLENICH:</p> <p>13 Q. Reverend, are you familiar with Matt</p> <p>14 Parrott, also known as David Matthew Parrott?</p> <p>15 A. I'm familiar with the name, yes.</p> <p>16 Q. Where do you recognize the name from?</p> <p>17 A. I recognize him as one of the key figures</p> <p>18 from the white supremacists and Unite the Right.</p> <p>19 Q. So you understand him to be someone who</p> <p>20 planned the Unite the Right for the white</p> <p>21 supremacists?</p> <p>22 A. I don't know the specifics of his role,</p> <p>23 but yes.</p> <p>24 Q. And that's the reason you sued him?</p> <p>25 A. The reason -- I'm sorry?</p>
<p style="text-align: right;">Page 192</p> <p>1 S. WISPELWEY</p> <p>2 MS. PHILLIPS: Objection. Form.</p> <p>3 Thank you.</p> <p>4 A. The reason he's named as a defendant in</p> <p>5 this suit on the part of -- is because the Unite the</p> <p>6 Right organizers and attendees brought the violence</p> <p>7 they planned to bring to Charlottesville and because</p> <p>8 of the costs suffered to me and my community, and I</p> <p>9 hope to see some accountability there.</p> <p>10 BY MR. KOLENICH:</p> <p>11 Q. How did David Matthew Parrott plan</p> <p>12 violence at the Unite the Right rally?</p> <p>13 MS. PHILLIPS: Object to form.</p> <p>14 A. I don't know all the specifics, off the</p> <p>15 top of my head.</p> <p>16 BY MR. KOLENICH:</p> <p>17 Q. Can you give any specifics at all?</p> <p>18 A. Not at this moment.</p> <p>19 MS. PHILLIPS: Object to form.</p> <p>20 A. I don't recall.</p> <p>21 BY MR. KOLENICH:</p> <p>22 Q. Did you see David Matthew Parrott say or</p> <p>23 do anything on August 12, 2017?</p> <p>24 A. I don't recall.</p> <p>25 Q. Did you see Nathan Damigo do anything or</p>	<p style="text-align: right;">Page 193</p> <p>1 S. WISPELWEY</p> <p>2 hear him say anything on August 12, 2017?</p> <p>3 A. I don't recall.</p> <p>4 Q. Other than what you've already told us,</p> <p>5 did you see Jason Kessler do anything or hear him</p> <p>6 say anything on August 12, 2017?</p> <p>7 A. I don't recall.</p> <p>8 Q. Reverend, I'm going to show you</p> <p>9 Exhibit 11.</p> <p>10 (Exhibit 11 was marked.)</p> <p>11 BY MR. KOLENICH:</p> <p>12 Q. Do you see Exhibit 11 on your screen?</p> <p>13 A. Yes.</p> <p>14 Q. Do you see the item circled in red on your</p> <p>15 screen?</p> <p>16 A. Yes.</p> <p>17 Q. Do you agree it says "February 8, 2018,</p> <p>18 last modified by Seth Wispelwey"?</p> <p>19 A. Yes.</p> <p>20 Q. Do you recognize this document?</p> <p>21 A. It appears to be a portion of a screen</p> <p>22 grab from something like a Google Drive.</p> <p>23 Q. And at the top of the screen grab, do you</p> <p>24 see that it says "Shared with me, 2017.08, Defend</p> <p>25 Charlottesville"?</p>

<p style="text-align: right;">Page 194</p> <p>1 S. WISPELWEY</p> <p>2 A. Yes.</p> <p>3 Q. Do you recognize that Google Drive file?</p> <p>4 A. Yes.</p> <p>5 Q. Do you recall modifying the Heather Wilson</p> <p>6 Dust and Light Photo file?</p> <p>7 A. No.</p> <p>8 Q. So you do not remember deleting any</p> <p>9 pictures from that file?</p> <p>10 A. No. I don't think -- this was her Google</p> <p>11 Drive, as I recall.</p> <p>12 Q. Would you agree that it says it was last</p> <p>13 modified by Seth Wispelwey?</p> <p>14 A. Yes.</p> <p>15 Q. Do you recall having the ability to modify</p> <p>16 that file?</p> <p>17 A. No.</p> <p>18 Q. Do you recall what the contents of that</p> <p>19 file was?</p> <p>20 A. Yes.</p> <p>21 Q. What was the contents of that file?</p> <p>22 A. Heather Wilson is a professional</p> <p>23 photographer. This was a file folder filled with</p> <p>24 photographs that she had taken the weekend of</p> <p>25 August 11 and 12, 2017.</p>	<p style="text-align: right;">Page 195</p> <p>1 S. WISPELWEY</p> <p>2 Q. In Charlottesville, Virginia?</p> <p>3 A. Yes.</p> <p>4 Q. Did you turn this file over in discovery?</p> <p>5 A. I turned over all electronic files</p> <p>6 requested of me by my attorneys in the discovery</p> <p>7 process.</p> <p>8 Q. Okay. So you don't know if you turned</p> <p>9 this specific file over or not?</p> <p>10 A. I believe if these photographs were part</p> <p>11 of my files, they were turned over in the discovery</p> <p>12 process.</p> <p>13 Q. Okay. I'm taking down the exhibit.</p> <p>14 Reverend, did you associate with</p> <p>15 Councilman Wes Bellamy during your time living in</p> <p>16 Charlottesville?</p> <p>17 MS. PHILLIPS: Object to form.</p> <p>18 A. I'm not sure what's meant by "associate</p> <p>19 with."</p> <p>20 BY MR. KOLENICH:</p> <p>21 Q. Did you socialize with him?</p> <p>22 A. No, I would not say that we socialized.</p> <p>23 Q. Did you attend any public events with him?</p> <p>24 A. I attended city council meetings where he</p> <p>25 was presiding as a council member, yes.</p>
<p style="text-align: right;">Page 196</p> <p>1 S. WISPELWEY</p> <p>2 Q. Did you attend any events other than city</p> <p>3 council meetings with Wes Bellamy?</p> <p>4 A. Yes. As I recall right now, I -- Council</p> <p>5 Member Bellamy was in attendance at the sunrise</p> <p>6 service the morning of August 12, 2017, at First</p> <p>7 Baptist Church. I don't recall any other public</p> <p>8 events at this point.</p> <p>9 Q. Do you consider Wes Bellamy to be a</p> <p>10 racist?</p> <p>11 MS. PHILLIPS: Object to form.</p> <p>12 A. I don't know Wes Bellamy well.</p> <p>13 BY MR. KOLENICH:</p> <p>14 Q. Did you ever review the tweet that Jason</p> <p>15 Kessler complained about made by Wes Bellamy?</p> <p>16 A. No. My knowledge of that story was</p> <p>17 whatever I read in The Daily Progress, the local</p> <p>18 newspaper.</p> <p>19 Q. Do you recall what The Daily Progress</p> <p>20 wrote about the content of Wes Bellamy's tweets?</p> <p>21 A. Just what I shared earlier, which is that</p> <p>22 I remember that some of them were derogatory towards</p> <p>23 women or perceived to be.</p> <p>24 Q. Okay.</p> <p>25 MR. KOLENICH: Bear with me, Reverend. I</p>	<p style="text-align: right;">Page 197</p> <p>1 S. WISPELWEY</p> <p>2 have to attempt to read my own desktop here. Okay.</p> <p>3 BY MR. KOLENICH:</p> <p>4 Q. Reverend, are you familiar with the hammer</p> <p>5 and sickle symbol used by the Soviet Union?</p> <p>6 A. Yes. I recall that the former Soviet</p> <p>7 Union's flag had a sickle on it with some stars.</p> <p>8 Q. Do you recall it had a symbol generally</p> <p>9 referred to as a hammer and sickle?</p> <p>10 A. Yes, that sounds familiar.</p> <p>11 Q. I'm going to show you Exhibit 12 just so</p> <p>12 we're clear.</p> <p>13 Can you see the flag on the screen?</p> <p>14 (Exhibit 12 was marked.)</p> <p>15 A. Yes.</p> <p>16 BY MR. KOLENICH:</p> <p>17 Q. Is that the Soviet flag that you were just</p> <p>18 discussing?</p> <p>19 A. That's what I remember the flag of the</p> <p>20 U.S.S.R. being, yes.</p> <p>21 Q. What do you mean by "U.S.S.R."?</p> <p>22 A. Sorry. I just remember that being the</p> <p>23 acronym for the Soviet Union.</p> <p>24 Q. So you don't know what that actually</p> <p>25 stands for?</p>

<p style="text-align: right;">Page 198</p> <p>1 S. WISPELWEY</p> <p>2 A. One of the Ss stands for Soviet Socialist</p> <p>3 Republic, perhaps.</p> <p>4 Q. Can I take the exhibit down off the</p> <p>5 screen?</p> <p>6 You know what we're talking about now?</p> <p>7 A. Yes.</p> <p>8 Q. Did you see anybody with specific</p> <p>9 reference to counterprotesters wearing that symbol</p> <p>10 on August 12, 2017?</p> <p>11 A. No.</p> <p>12 Q. Did you see anyone carrying that flag on</p> <p>13 August 12, 2017?</p> <p>14 A. No.</p> <p>15 Q. Do you consider yourself a Communist?</p> <p>16 A. No.</p> <p>17 Q. Do any of your fellow members of the</p> <p>18 clergy collective consider themselves Communists, to</p> <p>19 your knowledge?</p> <p>20 MS. PHILLIPS: Object to form.</p> <p>21 A. I don't believe so, no. They have never</p> <p>22 articulated that to me.</p> <p>23 BY MR. KOLENICH:</p> <p>24 Q. Dr. Cornel West does not consider himself</p> <p>25 a Communist, to your knowledge?</p>	<p style="text-align: right;">Page 199</p> <p>1 S. WISPELWEY</p> <p>2 A. Not to my knowledge, no.</p> <p>3 Q. Does Wes Bellamy consider himself a</p> <p>4 Communist?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. Not to my knowledge, no.</p> <p>7 BY MR. KOLENICH:</p> <p>8 Q. Would you consider the Soviet Union worse</p> <p>9 than the Nazis?</p> <p>10 MS. PHILLIPS: Object to form.</p> <p>11 A. I'm not sure what is meant by "worse"</p> <p>12 necessarily. And I'm not a historian, so I'm not</p> <p>13 sure I can make a qualitative judgment there.</p> <p>14 BY MR. KOLENICH:</p> <p>15 Q. Fair enough.</p> <p>16 You are opposed to Nazis; is that right?</p> <p>17 A. Yes.</p> <p>18 MS. PHILLIPS: Object to form.</p> <p>19 A. Yes.</p> <p>20 BY MR. KOLENICH:</p> <p>21 Q. Why are you opposed to Nazis?</p> <p>22 MS. PHILLIPS: Also object to form.</p> <p>23 Go ahead.</p> <p>24 A. In my understanding, I'm opposed to the</p> <p>25 ideology and expression of Naziism as it's rooted in</p>
<p style="text-align: right;">Page 200</p> <p>1 S. WISPELWEY</p> <p>2 a history of hate, genocide, and violence against</p> <p>3 vulnerable people groups.</p> <p>4 BY MR. KOLENICH:</p> <p>5 Q. Do you know anything about the history of</p> <p>6 the Soviet Union?</p> <p>7 A. I know a little bit of history there.</p> <p>8 Q. What do you know about the history of the</p> <p>9 Soviet Union?</p> <p>10 MS. PHILLIPS: Objection.</p> <p>11 Go ahead.</p> <p>12 A. Very broadly -- again, not being a</p> <p>13 historian and being a long time since I studied</p> <p>14 European history, I am familiar with the formation</p> <p>15 of what became the Soviet Union after the Russian</p> <p>16 Revolution and its dissolution in around 1989 and</p> <p>17 various leaders over the years since then -- or in</p> <p>18 between that time period.</p> <p>19 BY MR. KOLENICH:</p> <p>20 Q. Understood.</p> <p>21 Are you familiar with the phrase</p> <p>22 "Holocaust"?</p> <p>23 A. Yes.</p> <p>24 Q. What do you understand by the Holocaust?</p> <p>25 A. My understanding of the Holocaust is that</p>	<p style="text-align: right;">Page 201</p> <p>1 S. WISPELWEY</p> <p>2 it refers to the systematic murder and annihilation</p> <p>3 of different people groups that Nazi Germany deemed</p> <p>4 inferior, especially Jewish people.</p> <p>5 Q. Are you familiar with the phrase</p> <p>6 "Holodomor"?</p> <p>7 A. I'm not familiar with that phrase.</p> <p>8 MR. KOLENICH: Ms. Court Reporter, that is</p> <p>9 going to be H-o-l-o-d-o-m-o-r.</p> <p>10 REALTIME STENOGRAPHER: Thank you.</p> <p>11 BY MR. KOLENICH:</p> <p>12 Q. Are you familiar with the allegation that</p> <p>13 Soviet Union genocided tens of millions of its own</p> <p>14 people?</p> <p>15 A. I am familiar that a lot of life was lost</p> <p>16 during the Soviet Union under the rule of Stalin.</p> <p>17 Q. Are you aware that persons considering</p> <p>18 themselves antifascist often use Soviet symbols on</p> <p>19 their clothing and websites?</p> <p>20 MS. PHILLIPS: Object to form.</p> <p>21 A. No, I'm not familiar with that.</p> <p>22 BY MR. KOLENICH:</p> <p>23 Q. You've never seen a Soviet symbol on an</p> <p>24 antifascist website?</p> <p>25 MS. PHILLIPS: Object to form.</p>

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1 S. WISPELWEY

2 A. I'm not sure what antifascist websites

3 are. I've not seen the hammer and sickle on

4 websites I've visited.

5 BY MR. KOLENICH:

6 Q. Are you familiar with the Twitter feed

7 called "Goad Gatsby"?

8 A. Yes.

9 Q. Do you know what individual runs that

10 Twitter feed or owns that Twitter feed?

11 A. I'm familiar with who that individual is,

12 yes.

13 Q. Who is that individual?

14 A. That's an individual I've seen in public a

15 few times. He's very recognizable. I'm not sure,

16 even though, if that's his real name.

17 Q. So you don't know his real name?

18 A. No.

19 Q. Are you familiar with a person named Emily

20 Gorcenski?

21 A. Yes.

22 Q. Is it your testimony you've never seen any

23 Soviet symbols on either of their social media

24 platforms?

25 MS. PHILLIPS: Object to form.

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1 S. WISPELWEY

2 MS. PHILLIPS: Object to form.

3 A. No, I do remember. I'm just not sure

4 where to start.

5 BY MR. KOLENICH:

6 Q. Well, let's try to go chronologically.

7 What's the first thing that happened to

8 you that you haven't already told us?

9 A. Starting on August 11, 2017?

10 Q. Yes. That will be fine.

11 A. I remember pretty early on August 11,

12 2017, drinking my morning coffee and learning that

13 the white supremacists were planning to hold a

14 torchlit rally at the Rotunda that night and having

15 a couple conversations with my fellow Congregate

16 leaders because we realized that was right across

17 the street from where the worship service was

18 planned. I remember that distinctly.

19 Q. Okay. What is the next thing that

20 happened to you that you haven't already told us?

21 A. I don't recall.

22 MS. PHILLIPS: Object to the form.

23 Jim, if you've got specific questions

24 about the day, ask him. But, otherwise, you know,

25 is it your plan to take him chronologically through

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1 S. WISPELWEY

2 A. Not that I recall.

3 BY MR. KOLENICH:

4 Q. Fair enough. Is there anything that you

5 haven't told us about what happened to you on

6 August 11 or 12, 2017?

7 MS. PHILLIPS: Object to form.

8 A. Yes.

9 BY MR. KOLENICH:

10 Q. Okay. So what haven't you told us so far?

11 MS. PHILLIPS: Object to form.

12 A. There's a lot that transpired on August 11

13 and 12, 2017, that I have memory of that we did not

14 cover in question and answer during this time.

15 BY MR. KOLENICH:

16 Q. Can you tell me what those things are that

17 we have not covered?

18 MS. PHILLIPS: Object to form.

19 A. It would be difficult to cover all those

20 things because -- in a broad way for me because

21 there were a lot of different things going on that I

22 experienced.

23 BY MR. KOLENICH:

24 Q. Are you saying you don't remember any of

25 them, as you sit here today?

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1 S. WISPELWEY

2 every single thing that happened on 11th and 12th?

3 MR. KOLENICH: No. No, it's not.

4 BY MR. KOLENICH:

5 Q. Sorry if my question implied that,

6 Reverend. I mean anything that you're complaining

7 about as part of your lawsuit, not every last thing

8 you did on August 11 and 12, 2017.

9 MS. PHILLIPS: Okay.

10 A. Okay.

11 BY MR. KOLENICH:

12 Q. So are there things that you are seeking

13 compensation from my clients for that occurred to

14 you connected to this Unite the Right event on

15 August 11 and 12, 2017, or any other time that you

16 connect to the Unite the Right event that you

17 haven't already told us about?

18 A. Sitting here right now, it's been a while

19 since I've read in detail the full 115-page-or-so

20 complaint or other documents. And so it would be

21 hard to drill down on all those specifics and what

22 all the different points are at this moment.

23 Q. Okay. So is it fair to say that

24 everything that you wish to complain about regarding

25 my clients is contained somewhere in that 115-page

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1 S. WISPELWEY
2 Second Amended Complaint?
3 A. I believe the bulk of the evidence and
4 documentation for the complaint is furnished in the
5 case file.
6 Q. Believe me, I'm sympathetic to not being
7 able to remember what's in that complaint.
8 So, all of the damages that you're
9 alleging that you sustained are referenced in that
10 complaint?
11 A. Yes, I believe so.
12 Q. And all of the actions that you believe
13 justify suing my clients -- that is, Jason Kessler,
14 Nathan Damigo, Matthew Parrott, Identity Evropa, and
15 Traditionalist Worker Party -- are contained in that
16 complaint?
17 MS. PHILLIPS: Object to form.
18 A. I haven't read the fullness of the
19 complaint yet, but from what I recall at this
20 moment, yes.
21 BY MR. KOLENICH:
22 Q. All right. As far as you know, you didn't
23 forget to mention anything to your lawyers when
24 preparing to file the complaint; is that right?
25 MS. PHILLIPS: Object to form.

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1 S. WISPELWEY
2 just don't recall, specifically.
3 BY MR. KOLENICH:
4 Q. Fair enough.
5 What is your current status as to your
6 mental conditions that you're alleging as damages?
7 MS. PHILLIPS: Object to form.
8 MR. KOLENICH: That's a terrible question.
9 I'm going to withdraw that and have myself fined for
10 even asking that question.
11 BY MR. KOLENICH:
12 Q. Are you improving? Are your damages
13 improving presently?
14 MS. PHILLIPS: Object to form.
15 A. Without having the complaint in front of
16 me, I haven't read it recently, as I recall right
17 here, the severity has lessened over time from what
18 was wrought in August 11 and 12, 2017, and the
19 impact it has had on me.
20 BY MR. KOLENICH:
21 Q. On August 11 and 12, 2017, were you afraid
22 of the white nationalists?
23 A. I'm sorry, I didn't quite catch the
24 question.
25 Q. On August 11 and 12, 2017, were you afraid

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1 S. WISPELWEY
2 Wait, actually, hang on. I'm sorry. Let
3 me just read the question, Seth, because I want to
4 make sure it doesn't get anything you've
5 communicated with us.
6 Yeah, I'm just going to give you an
7 attorney-client privilege instruction on that
8 question. To the extent that it requires you to
9 disclose anything, any communications between
10 yourself and your attorneys, I'm going to instruct
11 you not to answer.
12 Understood?
13 THE DEPONENT: Understood.
14 BY MR. KOLENICH:
15 Q. Do you remember if there is anything you
16 forgot to tell your attorney -- without telling me
17 what you said to your lawyers or what they said to
18 you, can you think of anything you forgot to tell
19 your attorneys prior to the filing of the Second
20 Amended Complaint?
21 MS. PHILLIPS: Object to form.
22 But you may answer that question.
23 A. Sure. I don't remember, just sitting
24 right here, if I forgot everything since the
25 conversation took place over 2.5 years ago. And I

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1 S. WISPELWEY
2 of the white nationalists -- I'm sorry, the white
3 supremacists?
4 A. That weekend I remember experiencing fear
5 of the white supremacists and the violence they
6 planned to cause.
7 Q. Did you experience this fear before or
8 after you learned of the murder of Heather Heyer?
9 MS. PHILLIPS: Object to form.
10 You can answer.
11 A. I did not learn of the murder of Heather
12 Heyer until later that evening of August 12. I knew
13 someone had been killed, but I experienced fear from
14 white supremacists earlier than the car attack, yes.
15 BY MR. KOLENICH:
16 Q. What caused you to experience that fear?
17 A. There are several different examples I
18 could give. Seeing white supremacists heavily
19 armed, chanting hateful language. As I noted
20 earlier, when the group ultimately assaulted us said
21 "let's kill the faggot priests" directed at us, and
22 when we saw another group of white supremacists
23 coming up the street, chanting as well, I acutely
24 remember being afraid that I could very possibly be
25 severely bodily injured.

<p style="text-align: right;">Page 210</p> <p>1 S. WISPELWEY</p> <p>2 Q. When you heard the white supremacists say</p> <p>3 "let's kill the priests," did you actually believe</p> <p>4 they were going to attempt to kill you?</p> <p>5 MS. PHILLIPS: Object to form.</p> <p>6 A. I knew that it was the white supremacists'</p> <p>7 plan to initiate and carry out violence in</p> <p>8 Charlottesville, as a member of a group that</p> <p>9 included several people from marginalized groups</p> <p>10 that are not white and male like myself, I believe</p> <p>11 they intended to do us real harm, yes.</p> <p>12 BY MR. KOLENICH:</p> <p>13 Q. Did they, in fact, attempt to do you any</p> <p>14 harm at all?</p> <p>15 MS. PHILLIPS: Object to form.</p> <p>16 A. Shortly after that phrase was heard and</p> <p>17 other invective was hurled at us, they physically</p> <p>18 pushed right into us and broke right through us, so,</p> <p>19 yes.</p> <p>20 BY MR. KOLENICH:</p> <p>21 Q. You didn't consider that pushing and</p> <p>22 breaking through you an attempt to kill you, did</p> <p>23 you?</p> <p>24 MS. PHILLIPS: Object to form.</p> <p>25 A. These were events unfolding in rapid real</p>	<p style="text-align: right;">Page 211</p> <p>1 S. WISPELWEY</p> <p>2 time. It felt like a very unsafe place. I knew</p> <p>3 they intended to do harm to individuals like our</p> <p>4 group and, yes, I thought we were going to be hurt</p> <p>5 by groups of white supremacists.</p> <p>6 BY MR. KOLENICH:</p> <p>7 Q. That's not what I asked.</p> <p>8 Did you think that they were attempting to</p> <p>9 kill you by pushing through your line?</p> <p>10 MS. PHILLIPS: Object to form.</p> <p>11 A. Right in that moment? I didn't know what</p> <p>12 they were intending to do.</p> <p>13 BY MR. KOLENICH:</p> <p>14 Q. You testified that you knew they were</p> <p>15 planning to do violent acts.</p> <p>16 How did you know that?</p> <p>17 MS. PHILLIPS: Object to form. Asked and</p> <p>18 answered.</p> <p>19 A. As mentioned earlier, the primary source</p> <p>20 of my knowledge on that had to do with the</p> <p>21 presentation made to Charlottesville city council</p> <p>22 that documented online chats from organizers and</p> <p>23 perspective attendees, and the language that was</p> <p>24 being used by those attendees on August 12 that was</p> <p>25 directed at us.</p>
<p style="text-align: right;">Page 212</p> <p>1 S. WISPELWEY</p> <p>2 BY MR. KOLENICH:</p> <p>3 Q. Do you admit that some of the</p> <p>4 counterprotesters intended to violently oppose the</p> <p>5 white supremacists?</p> <p>6 MS. PHILLIPS: Object to form.</p> <p>7 A. I don't know --</p> <p>8 Ms. PHILLIPS: You want him to testify</p> <p>9 about the intent of other protesters?</p> <p>10 MR. KOLENICH: I'll let the question</p> <p>11 stand.</p> <p>12 MS. PHILLIPS: You can answer it, if you</p> <p>13 can.</p> <p>14 A. I can't really answer that. I don't know</p> <p>15 the intent of any other counterprotesters, only my</p> <p>16 own.</p> <p>17 BY MR. KOLENICH:</p> <p>18 Q. But you know the intent of the white</p> <p>19 supremacist protester?</p> <p>20 A. I know what the white supremacists</p> <p>21 documented online about what they hoped and planned</p> <p>22 to do.</p> <p>23 Q. How many white supremacist protesters</p> <p>24 showed up to Emancipation Park on August 12, 2017?</p> <p>25 MS. PHILLIPS: Object to form.</p>	<p style="text-align: right;">Page 213</p> <p>1 S. WISPELWEY</p> <p>2 A. It would be hard to estimate, but I would</p> <p>3 put it in the hundreds.</p> <p>4 BY MR. KOLENICH:</p> <p>5 Q. Is it your testimony that each and every</p> <p>6 one of those hundreds had the same intent to do</p> <p>7 violence in Charlottesville on August 12, 2017?</p> <p>8 MS. PHILLIPS: Object to form.</p> <p>9 A. I feel like that's impossible to me to</p> <p>10 answer not knowing the intent of hundreds of</p> <p>11 individuals.</p> <p>12 BY MR. KOLENICH:</p> <p>13 Q. Do you know the intent of each and every</p> <p>14 member of the group Identity Evropa?</p> <p>15 A. I do not know all the members of Identity</p> <p>16 Evropa.</p> <p>17 Q. Do you know the intent of all the members</p> <p>18 of Identity Evropa that were present in</p> <p>19 Charlottesville on August 12, 2017?</p> <p>20 A. I do not.</p> <p>21 MR. KOLENICH: Very well, Reverend. Thank</p> <p>22 you. I have no further questions for you.</p> <p>23 MR. CAMPBELL: Hey, good afternoon. This</p> <p>24 is Dave Campbell. I have just two or three</p> <p>25 follow-ups.</p>

<p style="text-align: right;">Page 214</p> <p>1 S. WISPELWEY</p> <p>2 THE DEPONENT: Okay.</p> <p>3 EXAMINATION</p> <p>4 BY MR. CAMPBELL:</p> <p>5 Q. Reverend Wispelwey, the incident you</p> <p>6 described a while ago on August 13, with people you</p> <p>7 perceived to be white supremacists circling the</p> <p>8 church, I think -- do you recall that testimony?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. Did you call the police or file a</p> <p>11 police report as a result of that incident on</p> <p>12 August 13?</p> <p>13 A. I did not, no.</p> <p>14 Q. Did you observe police respond to anyone</p> <p>15 else's call and come to the church on August 13?</p> <p>16 A. I don't recall, no.</p> <p>17 Q. Okay. You were just discussing that you</p> <p>18 knew the rally attendees intended violence,</p> <p>19 primarily -- and this is rough. You know, I'm just</p> <p>20 trying to paraphrase, so if it's incorrect, please</p> <p>21 clear me up. But I think you said something along</p> <p>22 the lines of you knew the intent was violence</p> <p>23 largely because of a presentation of community</p> <p>24 organizers, the presentation to the Charlottesville</p> <p>25 City Council.</p>	<p style="text-align: right;">Page 215</p> <p>1 S. WISPELWEY</p> <p>2 Is that somewhat accurate?</p> <p>3 MS. PHILLIPS: Object to form.</p> <p>4 Go ahead, Seth.</p> <p>5 A. Yes. I knew about some of their plans</p> <p>6 based on a presentation community members had made</p> <p>7 to Charlottesville city leadership.</p> <p>8 BY MR. CAMPBELL:</p> <p>9 Q. Okay. And do you know the identities of</p> <p>10 any of the community members that made the</p> <p>11 presentation to Charlottesville leadership?</p> <p>12 A. I do not.</p> <p>13 Q. You don't know a single name of the people</p> <p>14 that made the presentation to the Charlottesville</p> <p>15 City Council you described in July of 2017?</p> <p>16 A. No. I was not present at the city council</p> <p>17 meeting.</p> <p>18 Q. Okay. And I think you said you reviewed a</p> <p>19 report that came out shortly after the meeting?</p> <p>20 A. Yes. The presentation they made was</p> <p>21 posted online shortly after.</p> <p>22 Q. Do you know where it was posted online,</p> <p>23 sir?</p> <p>24 A. Yes. I believe it was posted on the</p> <p>25 website Medium.com.</p>
<p style="text-align: right;">Page 216</p> <p>1 S. WISPELWEY</p> <p>2 Q. Medium. Okay.</p> <p>3 And I think you had indicated the report</p> <p>4 outlined Discord and social media posts made by</p> <p>5 organizers and attendees; is that correct?</p> <p>6 MS. PHILLIPS: Object to form.</p> <p>7 A. As I don't recall exactly what platforms</p> <p>8 were surfaced, some as I recall were from Facebook</p> <p>9 and other platforms.</p> <p>10 BY MR. CAMPBELL:</p> <p>11 Q. Do you remember the identities of any</p> <p>12 individual cited in that report that physically</p> <p>13 attended the Charlottesville rally?</p> <p>14 A. I don't recall. I don't remember the</p> <p>15 identities of those in the report.</p> <p>16 MR. CAMPBELL: Okay. All right. Thank</p> <p>17 you very much, Reverend. I don't have any</p> <p>18 additional questions, sir.</p> <p>19 MS. PHILLIPS: I don't have any redirect.</p> <p>20 So I think we're done.</p> <p>21 MR. KOLENICH: Yeah. We're done. Off the</p> <p>22 record.</p> <p>23 I am going to order a copy of the</p> <p>24 transcript, secondary to the Plaintiffs' standing</p> <p>25 order. I'll get these exhibits over to production.</p>	<p style="text-align: right;">Page 217</p> <p>1 S. WISPELWEY</p> <p>2 MR. CAMPBELL: This is Dave Campbell. I</p> <p>3 would like a copy as well. Etran only, if you can.</p> <p>4 Have a good weekend.</p> <p>5 MR. KOLENICH: I am Etran only too.</p> <p>6 Sorry.</p> <p>7 WHEREUPON, the within proceedings were</p> <p>8 concluded at the approximate hour of 2:34 p.m.,</p> <p>9 (PST) on the 24th day of July, 2020.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

Page 218	Page 219																																																																																
<p>1 S. WISPELWEY</p> <p>2</p> <p>3 REPORTER'S CERTIFICATE</p> <p>4 I, Dawn K. Larson, Registered Diplomat</p> <p>5 Reporter, Certified Realtime Reporter, Certified</p> <p>6 Realtime Captioner, and Notary Public, do hereby</p> <p>7 certify that, previous to the commencement of the</p> <p>8 examination, the deponent was, by me, duly sworn</p> <p>9 remotely by agreement of counsel to testify to the</p> <p>10 truth.</p> <p>11 I further certify this deposition was</p> <p>12 taken remotely in shorthand by me and thereafter</p> <p>13 reduced to typewritten form, that the foregoing</p> <p>14 constitutes a true and correct transcript.</p> <p>15 I further certify that I am not related</p> <p>16 to, employed by, nor of counsel for any of the</p> <p>17 parties or attorneys herein, nor otherwise</p> <p>18 interested in the result of the within action.</p> <p>19 In witness whereof, I have hereunto</p> <p>20 affixed my hand and seal.</p> <p>21 DATED: JULY 30, 2020</p> <p>22</p> <p>23 Dawn K. Larson, RDR, CRR, CRC</p> <p>24 Notary Public</p> <p>25</p>	<p>1 ERRATA SHEET</p> <p>2 Case Name:</p> <p>3 Deposition Date:</p> <p>4 Deponent:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">Pg.</th> <th style="width: 5%;">No.</th> <th style="width: 40%;">Now Reads</th> <th style="width: 20%;">Should Read</th> <th style="width: 30%;">Reason</th> </tr> </thead> <tbody> <tr><td>6</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>7</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>8</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>9</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>10</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>11</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>12</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>13</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>14</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>15</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>16</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>17</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>18</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>19</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> <tr><td>20</td><td>---</td><td>---</td><td>---</td><td>---</td></tr> </tbody> </table> <p>21</p> <p>22</p> <p>23 SUBSCRIBED AND SWORN BEFORE ME</p> <p>24 THIS ____ DAY OF _____, 2020.</p> <p>25 (Notary Public) MY COMMISSION EXPIRES: _____</p>	Pg.	No.	Now Reads	Should Read	Reason	6	---	---	---	---	7	---	---	---	---	8	---	---	---	---	9	---	---	---	---	10	---	---	---	---	11	---	---	---	---	12	---	---	---	---	13	---	---	---	---	14	---	---	---	---	15	---	---	---	---	16	---	---	---	---	17	---	---	---	---	18	---	---	---	---	19	---	---	---	---	20	---	---	---	---
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